

10009194  
02/21/2007 12:53 PM \$0.00  
Book - 9424 Pg - 6852-6856  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
DIVISION OF ENVIRONMENTAL  
PO BOX 144840  
SLC UT 84114  
BY: LUG, DEPUTY - MA 5 P.

When recorded return to:  
Utah Department of Environmental Quality  
Division of Environmental Response and Remediation  
Attention: Voluntary Program Coordinator  
168 North 1950 West  
Salt Lake City, Utah 84116

**RE: Salt Lake City Intermodal Hub Voluntary Cleanup Site (VCP # C016)  
200 South 600 West, Salt Lake City, Utah**

## **CERTIFICATE OF COMPLETION**

### **1. Compliance with Terms of Voluntary Cleanup Program**

The Executive Director of Utah Department of Environmental Quality, through her undersigned designee below, has determined that Salt Lake City Corporation, hereinafter referred to as the "Applicant," has completed a Utah Department of Environmental Quality supervised voluntary cleanup of the real property described in Attachment A (the "Property"), in accordance with sections 19-8-108 and 19-8-110 of the Utah Code Ann. and the Voluntary Cleanup Agreement entered into on April 29, 1999, and that Salt Lake City Corporation is granted this Certificate of Completion ("COC") pursuant to section 19-8-111, subject to the conditions set forth in paragraph three below.

### **2. Acknowledgment of Protection From Liability**

This COC acknowledges protection from liability provided by section 19-8-113 of the Utah Code Ann. 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 Property. All documents discussed in this COC are on file and may be reviewed at the Department of Environmental Quality, Division of Environmental Response and Remediation office.

**RECEIVED**

MAR 12 2007

DEQ  
Environmental Response & Remediation

### **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 commercial or light industrial purposes 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 commercial/industrial exposure scenario is defined as exposure to adults to incidental ingestion and dermal contact to hazardous constituents for a duration of 25 years at a frequency of 250 days a year for eight hours a day.

Future uses of the Property that were represented in the Voluntary Cleanup Program Application and approved include a transit hub and commercial and retail operations. This COC is not issued for uses of the Property that include managed care facilities, hospitals or residential uses (including caretakers that live on the Property) or for day care and school facilities that may expose children to hazardous constituents for extended periods of time. Additional investigation and possible remediation would be required and the COC amended to allow for those uses. Since those uses were neither represented nor approved, they would eliminate the release of liability and coverage of the COC described in paragraph two above.

In addition, this COC is issued based upon all beneficiaries remaining in compliance with the COC as well as the Site Management Plan (SMP), dated January 8, 2007. The COC and SMP among other things require:

- a. The Property to be used in manner that is consistent with the land use described above;
- b. Non-use of groundwater located beneath the Property via wells, pits, sumps or other means for the purpose of irrigation, drinking or bathing;
- c. Ground cover to remain across the site in a manner consistent with the Remedial Action Plan (dated September 24, 2003) and SMP;
- d. Compliance with the contingency procedures in the SMP in the event impacted material above site cleanup goals is encountered;
- e. Continued reimbursement to the Utah Department of Environmental Quality for its oversight of the SMP; and
- f. Continued consent to access by the Utah Department of Environmental Quality to monitor compliance with the SMP.

### **4. Unavailability of Release of Liability**

Use of the Property that is not consistent with paragraph three or failure to comply with the SMP described in paragraph three shall constitute a change in land use expected to result in increased risks to human health/the environment making the release of liability in paragraph two unavailable.

### **5. Amended Certificate of Completion**

Upon completion of the SMP, the Applicant, current or future owners or lenders may request the Utah Department of Environmental Quality to record an amended COC to delete compliance with the SMP as a condition of land use.

6. Final Signature for Intermodal Hub Certificate of Completion

Dated this 2 day of FEBRUARY 2007.



Brad T Johnson, 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.

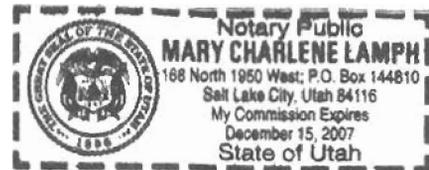
COUNTY OF Salt Lake \_\_\_\_\_)

On this 2nd day of February, 2007, personally appeared before me, Brad T Johnson  
who duly acknowledged that he/she signed the above Certification of Completion as an authorized  
representative of the Executive Director of the Utah Department of Environmental Quality.

  
NOTARY PUBLIC

Residing At: Kaysville, UT

My Commission Expires Dec. 15, 2007



**ATTACHMENT A.**

**Salt Lake City Intermodal Hub  
Legal Property Description**

**Salt Lake City Intermodal Hub  
200 South 600 West  
Salt Lake City, Utah**

**Legal Property Description:**

**Part # 1**

Beginning at a point that is N89°58'13"E 66.00 feet from the northeast corner of block 37, official survey of plat C, Salt Lake City Survey; thence S00°00'26"W 1240.25 feet; thence west 42.50 feet; thence S00°00'53"W 1547.53 feet; thence west 3.62 feet; thence north 80.00 feet; thence N89°29'48"W 2.38 feet to a point of a non-tangent curve (radius bears S84°35'11"W); thence northwesterly 20.10 feet along the arc of a 1124.00 foot radius curve to the left to a point of compound curve (radius bears N83°33'42"E); thence northwesterly 130.26 feet along the arc of 1166.00 radius curve to the right; thence S89°57'37"W 72.13 feet; thence S00°32'37"W 150.00 feet; thence N89°49'49"W 14.64 feet; thence south 330.00 feet; thence S89°43'18"W 12.78 feet; thence N00°05'00"W 1612.26 feet; thence N05°28'49"W 101.71 feet; thence N16°57'02"W 1384.19 feet; thence N89°58'13"E 575.07 feet to the point of beginning, contains 14.87 acres more or less.

**Part # 2**

Beginning at a point that is N89°57'25"E 66.15 feet from the northeast corner of block 13, official survey of plat C, Salt Lake City Survey; thence S00°01'05"E 372.08 feet; thence S36°15'30"W 28.58 feet to a point of non-tangent curve (radius bears S31°13'29"E); thence southwesterly 252.12 feet along the arc of a 298.29 foot radius curve to the left to a point of non-radial compound curve (radius bears S76°20'06"E); thence 37.78 feet along the arc of a 203.34 foot radius curve to the left thence N00°03'13"E 633.83 feet; thence N89°57'25"E 160.48 feet to the point of beginning, contains 1.70 acres more or less.

**Property Tax Identification Number:** 15-01-109-003