



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

L. Scott Baird
Interim Executive Director

DIVISION OF ENVIRONMENTAL
RESPONSE AND REMEDIATION

Brent H. Everett
Director

ERRC-101-19

August 8, 2019

Victor Kimball
1030 Salt Lake City, LLC
Central Park Office Building, Ltd
1000 South Main Street, Suite #104
Salt Lake City, Utah, 84101

**RE: Certificate of Completion – Dalton’s Edge Multi-Family Voluntary Cleanup Program
Site, Salt Lake City, Salt Lake County**

Dear Mr. Kimball:

The Division of Environmental Response and Remediation (DERR) received a copy of the *Remedial Action Summary Report* (Report), dated June 7, 2019, for the above-referenced site. The document was reviewed as required by the provisions of the Voluntary Cleanup Program (VCP).

Based on the review, the DERR does not have any additional technical comments pertaining to the Report, and therefore accepts the Report under the VCP. With the acceptance of the Report, 1030 Salt Lake City, LLC, Dusty Baker Urban Communities, LLC d/b/a dbURBAN Communities, and Central Park Office Building, Ltd, collectively referred to as “Applicant,” have completed the terms and conditions of the Voluntary Cleanup Agreement (VCA) entered into on February 28, 2018, except for coverage of the DERR’s administrative costs noted in the VCA. A final invoice of these costs will be sent under separate cover within 90 days of the date of this letter. Final payment is required.

Enclosed is a Certificate of Completion (COC) for the site. The DERR has also sent the COC to the Salt Lake County Recorder to be recorded on the property title. The DERR commends the Applicant’s proactive approach toward the voluntary cleanup and appreciates its efforts to return an impacted property to beneficial use.

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If you have any questions regarding the letter or the COC, please contact Ms. Leigh Anderson of my staff at (801) 536-4100. Thank you for participating in the Utah Voluntary Cleanup Program.

Sincerely,

A handwritten signature in blue ink that reads "Brent H. Everett". The signature is written in a cursive style with a large initial 'B'.

Brent H. Everett, Director
Division of Environmental Response and Remediation

BHE/KLA/kb

Enclosure: Certificate of Completion

cc: Gary L. Edwards, M.S., Director, Salt Lake County Health Department (w/out enclosure)
Bryce Baker, Dusty Baker Urban Communities
Danny Miller, Central Park Office Building, Ltd.

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

**RE: Dalton's Edge Multi-Family Voluntary Cleanup Site (VCP #C091)
1046 South 400 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 the undersigned designee below, has determined that 1030 Salt Lake City, LLC, Central Park Office Building, Ltd and Dusty Baker Urban Communities, LLC d/b/a dbURBAN Communities (collectively, "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 February 28, 2018. The Applicant is granted this Certificate of Completion ("COC") pursuant to section 19-8-111, subject to the conditions set forth in Section 3 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 or contamination, or to an owner or lender who changes the land use from the use specified in Section 3 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 failure to disclose material information.

Protection from liability is also limited to contamination identified in the documents related to the investigation of the Property.

3. Specified Land Use for Certificate of Completion

The future land use of this Site will consist of residential uses, consistent with the residential exposure scenario as described in the Risk Assessment Guidance for Superfund, Volume I, Human Health Evaluation, Parts A through F. The residential exposure scenario is defined as exposure of adults to incidental ingestion, inhalation and dermal contact to hazardous constituents for a duration of 30 years at a frequency of 350 days a year.

Based on the data and information submitted, the investigation and cleanup completed under the Voluntary Cleanup Agreement is protective for the land use described above. The future land use of this Site is not limited by any environmental restrictions except that groundwater will not be accessed via wells, pits or sump 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 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 Division of Environmental Response and Remediation (DERR) office located at 195 North 1950 West, Salt Lake City, Utah. The DERR provided oversight on the project for the DEQ.

6. Final Signature - Dalton's Edge Multi-Family (VCP #C091)

Dated this 8th day of August 2019

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 _____)

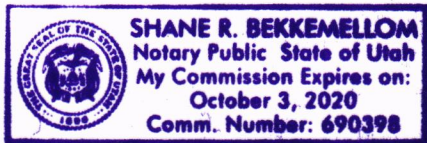
:ss.

COUNTY OF Salt Lake _____)

On this 8th day of August, 2019, 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: Salt Lake
County, Utah

My Commission Expires October 3, 2020

ATTACHMENT A.

Legal Property Description

Legal Property Description

Site Address:

1046 South 400 West, Salt Lake City, Salt Lake County, Utah

Lot Consolidation Description:

A parcel of land located in Block 24, Five Acre Plat A, Big Field Survey, being a portion of Lots 6 and 7 of said survey, and a portion of Dolan's Subdivision, Part of Block 24, Five Acre Plat A, Big Field Survey, and being more particularly described as follows:

Beginning at the Northeast corner of Lot 1 of Dolan's Subdivision, being a Part of Block 24, Five Acre Plat A, Big Field Survey, recorded in the office of the Salt Lake County Recorder as Entry No. 40995, in Book C of Plats, at Page 120 of official records, said point being on the west right-of-way of 400 West Street, thence along said west right-of-way and the easterly lot lines of Lots 1 through 9 of said Dolan's Subdivision, South 00°00'15" West 244.75 feet to the southeast corner of Lot 9 of said Dolan's Subdivision; thence South 00°21'49" West 33.00 feet to the northwest corner of the Young Electric Sign parcel as recorded in the office of the Salt Lake County Recorder as Entry No. 4492721 in Book 5941 at Page 2947; thence along the boundary of said parcel the following two (2) course and distances: 1) South 00°00'24" West 100.00 feet and 2) North 89°58'02" East 19.90 feet; thence South 00°00'24" West 228.35 feet to the North line of the Target Corporation parcel; thence along said north line South 89°58'02" West 150.00 feet to the southeast corner of the Thomas Young Jr. parcel (parcel ID 15-12-330-003); thence along the boundary of said parcel the following two courses and distances: 1) North 00°00'24" East 50.00 feet and 2) South 89°58'02" West 72.72 feet to the easterly line of Interstate 15 (UDOT Project No. I 01>7(5) as recorded in Book 1899 Page 634 of the official records) the following three (3) courses and distances: 1) North 18°59'11" West 114.56 feet, 2) North 00°00'24" East 170.00 and 3) North 05°46'29" East 33.17 feet; thence continuing along the east line of Interstate 15 (UDOT Project No. I 01-7(5) as recorded in Book 1706 Page 44 of the official records) the following four (4) courses and distances: 1) North 25°21'28" East 128.49 feet, 2) North 42°00'21" East 16.97 feet, 3) North 42°03'22" East 62.02 feet and 4) North 54°42'15" East 121.34 feet to a point on the north line of said Lot 1; thence along said north line North 89°58'01" East 30.01 feet to the point of beginning.

Containing 122,733 square feet or 2.82 acres.

Tax Property ID: 15-12-328-001-0000