

12947113
03/11/2019 12:31 PM \$0.00
Book - 10759 Pg - 2906-2910
RASHELLE HOBBS
RECORDER, SALT LAKE COUNTY, UTAH
UT ST-ENVIRONMENTAL QUALITY
BY: TLA, 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: Granton Square Voluntary Cleanup Program Site (VCP #C094)
118 West 4800 South, Murray City, Salt Lake County**

RECEIVED

MAR 21 2019

Environmental Response &
Remediation

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 Granton Square LLC, hereinafter referred to as the “Applicant,” has 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 June 26, 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 of 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 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.

3. Specified Land-Use for Certificate of Completion

The Site may be used for residential, commercial or industrial purposes with exception of the Repository located under the commercial parking lot on the southern portion of the Site. The Site is subject to the Site Management Plan (“SMP”) dated February 5, 2019, as may be amended from time to time, and that certain Environmental Covenant (“EC”) recorded with the Salt Lake County Recorder on February 14, 2019, Book 10753, Pages 683-694.

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

- a. Maintenance of the Repository;
- b. Future land use of the Repository shall be consistent with the commercial exposure scenario and remain a parking lot covered by asphalt as described in the SMP. The commercial exposure scenario is described as: exposure to adults to incidental ingestion, dermal contact and inhalation to hazardous constituents for duration of 25 years at a frequency of 250 days/year for 8 hours per day.
- c. Health and Safety Plan if workers conduct work in the Repository;
- d. Groundwater shall not be accessed for drinking water, irrigation or bathing purposes;
- e. Continued reimbursement to the DEQ for its oversight of the EC and SMP; and
- f. 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 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 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/Division of Environmental Response and Remediation (“DERR”) office located at 195 North 1950 West, Salt Lake City, Utah.

7. Final Signature for Granton Square Voluntary Cleanup Site Certificate of Completion

Dated this 27th day of February 2019.

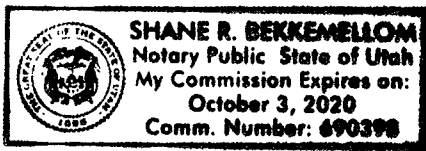
Brent H. Everett
Brent H. Everett, Director
Division of Environmental Response and Remediation
And Authorized Representative of the
Executive Director of the Utah
Department of Environmental Quality

STATE OF UTAH)

:ss.

COUNTY OF SALT LAKE)

On this 27th day of February, 2019, 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

**Granton Square
Legal Property Description**

Legal Property Description Voluntary Cleanup Program

Site Name: Granton Square LLC
Address: 118 West 4800 South, Murray

Granton Square Subdivision is located within the northeast quarter (NE ¼) of Section 12 and the southeast quarter (SE ¼) of Section 1, Township 2 South, Range 1 East, Salt Lake Base and Meridian amending a portion of Miller Cahoon Addition, Plat A, and boundary description described as follows:

Beginning at a point on the northerly right of way line of 4800 South Street and the easterly right of way line of Utah Transit Authority, said point being N00°06'28"W 145.43 feet along the witness line, S89°56'34"E 1908.04 feet along the section line and S00°03'26"W 80.77 feet from a found standard flat brass witness corner witnessing the south quarter of Section 1, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence along said easterly right of way line along a curve to the right, having a radius of 5435.04 feet, a distance of 330.61 feet, a chord direction of N01°00'51"W and a chord distance of 330.56 feet; thence continuing along said easterly right of way line N00°35'10"E 472.75 feet; thence N89°55'28" E 321.14 feet; thence S00°01'22"W 950.19 feet to said northerly right of way line of 4800 South Street; thence N65°22'41"W 351.73 feet along said northerly right of way line to the point of beginning.

Contains 6.51 acres in area

Property Tax Identification Numbers:

21-12-227-003
21-01-477-041
21-01-477-040