

10097329  
05/11/2007 12:20 PM \$0.00  
Book - 9463 Pg - 549-557  
**GARY W. OTT**  
RECODER, SALT LAKE COUNTY, UTAH  
UT ST-ENVIRONMENTAL QUALITY  
BY: KJE, DEPUTY - MA 9 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: Inverness Square Voluntary Cleanup Site (VCP # C038)**  
**4730 South 200 West, Murray, 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 Hamlet Development, 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 Annotated and the Voluntary Cleanup Agreement entered into on February 24, 2005, and that Hamlet Development 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 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 Property. The protection from liability does not extend to petroleum contamination resulting from Leaking Underground Storage Tank release ELXY (LUST ID #: 4000795) closed by the Division of Environmental Response and Remediation on October 25, 2005.

### **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 residential purposes consistent with the residential exposure scenario as described in the Risk Assessment Guidance for Superfund, Volume I Human Health Evaluation, Parts A and B. The residential exposure scenario is defined as exposure to adults to incidental ingestion and dermal contact to hazardous constituents for a duration of 30 years at a frequency of 350 days a year.

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 February 14, 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 (revised February 18, 2005) and SMP;
- d. Inspection of the soil consolidation areas as well as reporting of inspections and corrective actions in these areas as outlined in the SMP. Soil consolidation areas are shown in Attachment B.
- e. Compliance with the contingency procedures in the SMP in the event impacted material above site cleanup goals is encountered;
- f. Continued reimbursement to the Utah Department of Environmental Quality for its oversight of the SMP; and
- g. 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. Availability of Records

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.

## 7. Final Signature for Inverness Square Certificate of Completion

Dated this 26<sup>th</sup> day of APRIL 2007.



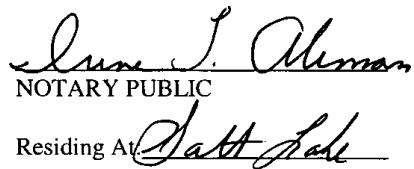
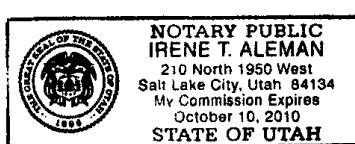
Brad T Johnson, Director  
Division of Environmental Response and Remediation  
And Authorized Representative of the  
Executive Director of the Utah  
Department of Environmental Quality

STATE OF UTAH \_\_\_\_\_)

:ss.

COUNTY OF Salt Lake)

On this 26<sup>th</sup> day of April, 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.



Irene T. Aleman  
NOTARY PUBLIC  
Residing At Salt Lake

My Commission Expires Oct 10, 2010

## **ATTACHMENT A**

### **Inverness Square Legal Property Description**

**Inverness Square  
4730 South 200 West  
Murray, Utah**

**Legal Property Description:**

A parcel of land located in the Southeast Quarter of Section 1 and the Northeast Quarter of Section 12 all in Township 2 South, Range 1 West, Salt Lake Base and Meridian, Salt Lake County, Utah described as follows:

BEGINNING at granite monument marked XI (Not Found) as described in Book Q at Page 482 of the Salt Lake County records and more particularly described in Book 7-T at Page 309 of said records, said granite monument marked XI being a corner of the Horn Silver Survey and located South 83°34'00" East 414.90 feet (South 83°56' East 414.90 feet) from a found granite monument marked X as described in said Horn Silver Survey, said granite monument marked IX also being North 394.53 feet and East 1107.24 feet from the Salt Lake County brass cap marking the South Quarter Corner of Section 1, Township 2 South, Range 1 West, Salt Lake Base and Meridian, (Basis of Bearings for all courses described herein being North 45°15'45" East, 3736.14 feet between said South Quarter Corner of Section 1 and the Salt Lake County brass cap marking the East Quarter Corner of said Section 1, with individual courses yielding to specific bounds or calls as further enumerated within this description) and running thence along the north line of the first property described in Book 7016 at Page 300 of said records South 83°34'00" East 16.50 feet (South 83°56' East by deed); thence along the east line of said property and the east line of that property described in Book 6759 at Page 568 of said records South 00°24'00" East 151.00 feet; thence along the south line of said property North 83°56'00" West 192.64 feet to the east line of the third property described in said Book 7016 at Page 300; thence along said east line South 00°07'56" West 169.66 feet (South 00°24' East by deed) to an existing fence as described in Book 8082 at Page 1614 of said records; thence along said existing fence South 83°06'01" West 75.50 feet (South 82°35' West 75.37 feet by deed); thence along said existing fence south 00°17'16" East 206.20 feet (South 00°24' East 205 feet by deed) to a point on the centerline of 4800 South Street; thence along said centerline South 81°37'58" West 161.14 feet (South 82°35' West 162.35 feet by deed); thence along the west line of said property and along said Horn Silver Survey North 00°26'00" West 256.63 feet (North 00°24' West by deed) to an existing chain link fence; thence along said existing chain link fence South 88°24'27" West 93.06 feet; thence along said existing chain link fence South 01°01'28" West 44.89 feet; thence along an existing fence North 87°08'07" West 217.86 feet; thence North 86°58'57" West 25.63 feet to the east line of 300 West Street; thence along said east line North 83.66 feet; thence East 46.15 feet; thence along an existing fence South 88°15'22" West 290.69 feet to said Horn Silver Survey; thence along said Horn Silver Survey North 00°26'00" West 291.16 feet to said granite monument marked X; thence along the north line of said first property described in Book 7016 at Page 300 South 83°34'00" East 35.84 feet (South 83°56' East by deed); thence along the west line of the fourth property described in said Book 7016 at Page 300 and along a six-foot chain link fence as described in Book 7665 at Page 1652 & Book 8445 at Page 703 of said records North

300.78 feet to south line of the Polly Gallegos property; thence along said south line South 83°00'00" East 189.75 feet (South 83°00' East 2.875 Chains); thence along a six-foot chain link fence as described in a Boundary Line Agreement recorded in Book 7159 at Page 2626 of said records and said Book 8445 at Page 703 South 165.00 feet (South 2.50 Chains); thence along said six-foot chain link fence South 83°00'00" East 189.75 feet (South 83°00'00" East 2.875 Chains); thence along the east line said property described in Book 8445 at Page 703 and the east line of said fourth property described in said Book 7016 at Page 300 South 132.00 feet (South 2.00 Chains) to the POINT OF BEGINNING.

Containing 251,657 square feet of 5.777 acres.

LESS AND EXCEPTING that portion lying within the bounds of 4800 South Street.

**Property Tax Identification Numbers (109 Total):**

21-01-453-067	21-01-453-089	21-01-453-111	21-01-453-136	21-01-453-158
21-01-453-068	21-01-453-090	21-01-453-112	21-01-453-137	21-01-453-159
21-01-453-069	21-01-453-091	21-01-453-113	21-01-453-138	21-01-453-160
21-01-453-070	21-01-453-092	21-01-453-114	21-01-453-139	21-01-453-161
21-01-453-071	21-01-453-093	21-01-453-115	21-01-453-140	21-01-453-162
21-01-453-072	21-01-453-094	21-01-453-116	21-01-453-141	21-01-453-163
21-01-453-073	21-01-453-095	21-01-453-117	21-01-453-142	21-01-453-164
21-01-453-074	21-01-453-096	21-01-453-121	21-01-453-143	21-01-453-179
21-01-453-075	21-01-453-097	21-01-453-122	21-01-453-144	21-01-453-179
21-01-453-076	21-01-453-098	21-01-453-123	21-01-453-145	21-01-453-179
21-01-453-077	21-01-453-099	21-01-453-124	21-01-453-146	21-01-453-179
21-01-453-078	21-01-453-100	21-01-453-125	21-01-453-147	21-12-204-008
21-01-453-079	21-01-453-101	21-01-453-126	21-01-453-148	21-12-204-009
21-01-453-080	21-01-453-102	21-01-453-127	21-01-453-149	21-12-204-010
21-01-453-081	21-01-453-103	21-01-453-128	21-01-453-150	21-12-204-011
21-01-453-082	21-01-453-104	21-01-453-129	21-01-453-151	21-12-204-012
21-01-453-083	21-01-453-105	21-01-453-130	21-01-453-152	21-12-204-013
21-01-453-084	21-01-453-106	21-01-453-131	21-01-453-153	21-12-204-014
21-01-453-085	21-01-453-107	21-01-453-132	21-01-453-154	21-12-204-015
21-01-453-086	21-01-453-108	21-01-453-133	21-01-453-155	21-12-204-016
21-01-453-087	21-01-453-109	21-01-453-134	21-01-453-156	21-12-204-017
21-01-453-088	21-01-453-110	21-01-453-135	21-01-453-157	

## **ATTACHMENT B**

### **Inverness Square Site Maps**

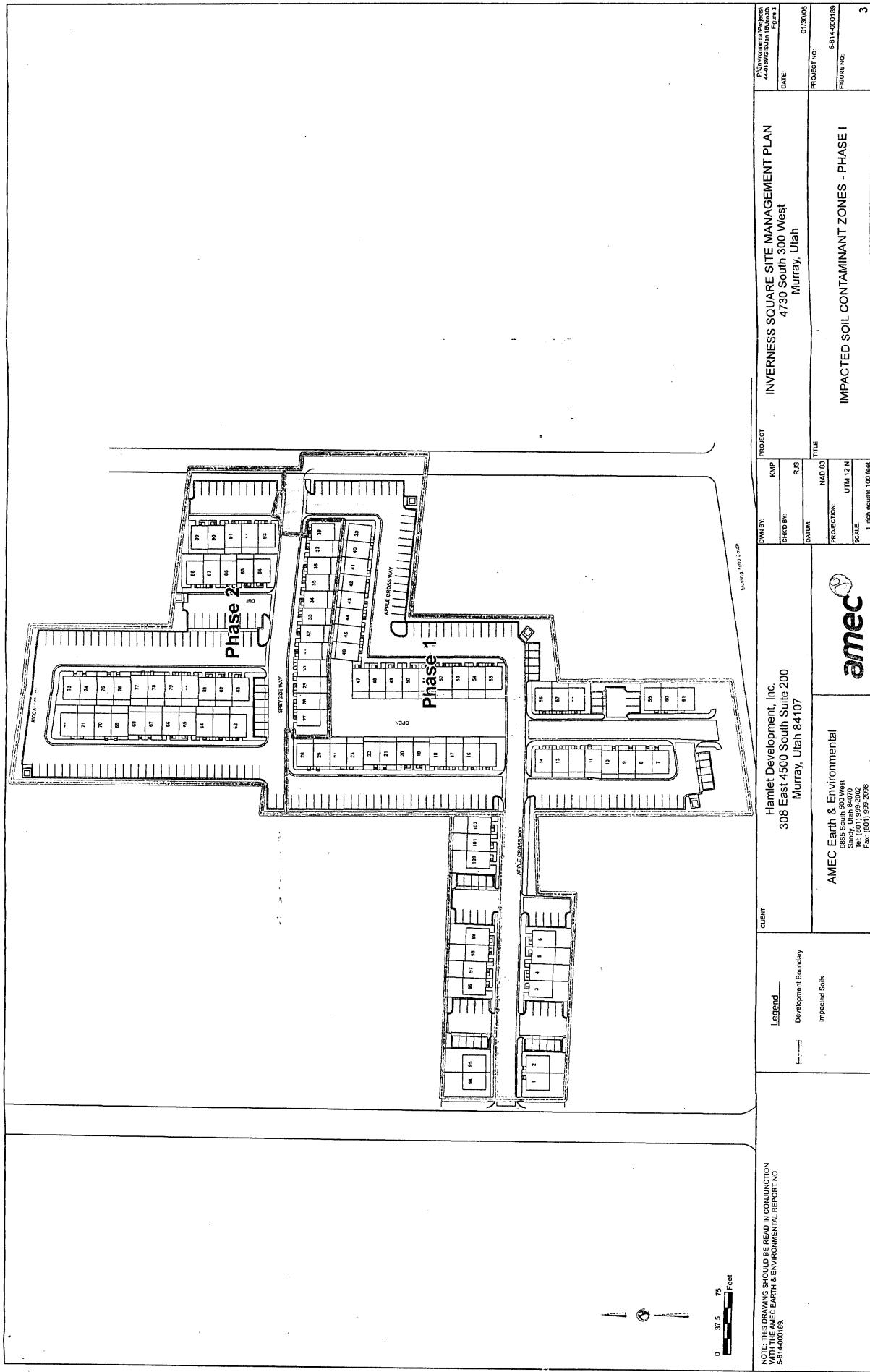
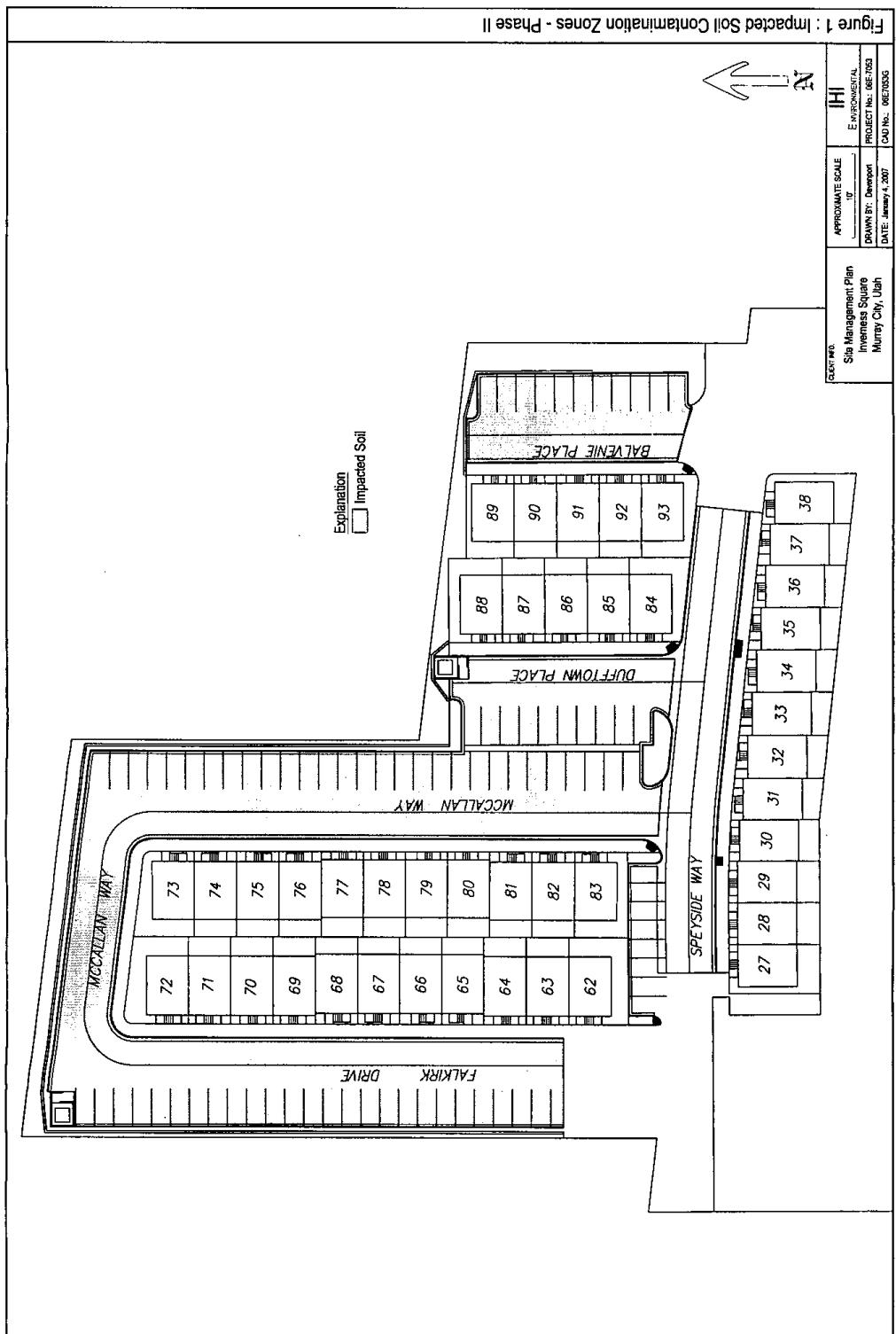


Figure 1 : Impacted Soil Contamination Zones - Phase II



BK 9463 PG 557