

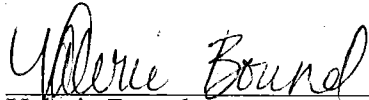
ACCESS AGREEMENT
Between the
Washington State Department of Ecology
and
Western General Land LLC

The Washington State Department of Ecology (Ecology) and Western General Land LLC agree to following terms and conditions of this Access Agreement:

1. Ecology is responsible for the investigation and remediation of hazardous waste sites in Washington pursuant to the Model Toxics Control Act (MTCA), Chapter 70.105D RCW and Chapter 173-340 WAC.
2. Upon reasonable notice (unless an emergency prevents such notice), Ecology may exercise the power to enter upon any property to conduct investigations of a release of a hazardous substance, and to conduct remedial actions (including investigations) to remedy releases of hazardous substances. RCW 70.105D.030(1)(a) & (b); WAC 173-340-800.
3. Western General Land LLC is the owner of a site on which a release of hazardous substances has occurred it. The Site is known as the Bee-Jay Scales Site (Site). The legal description of the property is: GEORGE E SHAW'S TR ADD TO SUNNYSIDE:PT LOTS 10 & 11 BLK B LY S WAREHOUSEAVE & N OF A LN 60 FT N & PARL TO CENLN BNRR EX W 490 FT & E'LY OF A LN >PARL WITH & 634 FT E OF W LN SD LOTS 10& 11. The parcel number of record at the Yakima County Assessor's office is #22102522015.
4. Western General Land LLC has been designated as a "potentially liable person" for the Site. RCW 70.105D.020(21); .040.
5. By signing this Access Agreement, Western General Land LLC grants full access rights to Ecology and/or any authorized representative of Ecology for the purpose of investigating and remediating the release of hazardous substances at the Site. Ecology will advise Western General Land LLC of those persons that it may authorize as its representatives to perform the foregoing activities as well as the activities to be performed.
6. Western General Land LLC agrees not to unreasonably withhold access from Chevron Chemical Company and American Oil Company, also designated as "potentially liable persons" for the Site, and/or any authorized representatives of these entities for the purpose of investigating and remediating the release of hazardous substances at the Site. Nothing in this Agreement grants such access, but rather each person so seeking to enter upon the Site shall seek and obtain its own access from Western General Land LLC.
7. Western General Land LLC agrees to indemnify, defend, and save and hold harmless the State of Washington, its employees, and agents from any and all claims or causes of action for death or injuries to persons or for loss or damage to property to the extent arising from or on account of acts or omissions of Western General Land LLC, its officers, employees, agents, or contractors in entering into this agreement or that may occur in the course of Ecology accessing the property pursuant to this agreement. However, Western General Land LLC shall not indemnify the State of Washington,

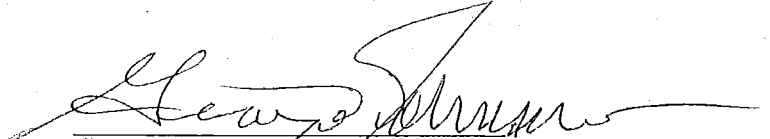
defend, nor save nor hold harmless its employees and agents from any claims or causes of action to the extent arising out of the negligent acts or omissions of the State of Washington, or the employees or agents of the State, in entering into this agreement or accessing the property pursuant to this agreement.

8. Ecology and Western General Land LLC may mutually amend this Access Agreement. Any amendments shall not be binding on either party unless such amendments are in writing and signed by an authorized representative of each party.
9. Ecology hereby reserves its right to file an action, if necessary, against Western General Land LLC or any other "potentially liable person" to recover the remedial actions costs incurred by Ecology for any investigative and remedial actions at the Site. RCW 70.105D.050(3); WAC 173-340-550.
10. This Access Agreement between Ecology and Western General Land LLC contains all the terms and conditions agreed upon by and between the parties. No other understandings, verbal or otherwise, regarding the subject matter of this agreement shall be enforceable on any of the parties.



Valerie Bound
Regional Section Manager
Toxics Cleanup Program
Department of Ecology

Dated: 12-27-12



George Johnson, Member/Manager
Western General Land LLC

Dated: 12-24-12