When Recorded Return To:

David South, Project Manager WA Department of Ecology Toxics Cleanup Program, NWRO 3190 160<sup>th</sup> Avenue S.E. Bellevue, WA 98008-5452



Document Title:

Termination & Release of Declaration of Restrictive

Covenant

Grantor:

State of Washington, Department of Ecology

Grantee:

Earle M. Jorgensen Company

Brief Legal Description:

Township 22 North and Range 4 East, Section 7

Assessor's Tax Parcel No.:

7757800265

Cross-Reference:

9508250708

## TERMINATION & RELEASE OF DECLARATION OF RESTRICTIVE COVENANT

Under the Model Toxics Control Act, Chapter 70.105D RCW (MTCA), the Uniform Environmental Covenants Act, RCW 64.70.100, and WAC 173-340-440, the State of Washington, Department of Ecology (Ecology) has determined, after public notice and comment, that the Declaration of Restrictive Covenant filed of record on August 25, 1995 in King County under Instrument Number 199508250708 (Covenant) over the property legally described below is no longer necessary under MTCA and its implementing regulations, Chapter 173-340 WAC in order to protect human health and the environment. Ecology hereby consents to termination of the Covenant and relinquishes and quitclaims to Earle M. Jorgensen Company any and all rights it may have that were created by the Covenant.

This document is not a settlement under MTCA. Ecology's signature below does not constitute a covenant not to sue or a compromise of Ecology's authority or rights other than those rights created by the Covenant itself.

The legal description of the property subject to the Covenant is as follows:

TRACTS 26 AND 31, SHINNS CLOVERDALE ADDITION TO KENT, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 6 OF PLATS, PAGE(S) 52, IN KING COUNTY, WASHINGTON LYING EAST OF PRIMARY STATE HIGHWAY NO. 5, AS CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED UNDER RECORDING NUMBER 5320168 AND SOUTH OF SOUTH 218<sup>TH</sup> STREET

AS CONVEYED TO THE CITY OF KENT BY DEED RECORDED UNDER RECORDING NUMBER 8101130005;

EXCEPT THAT PORTION OF TRACT 31 KNOWN AS VALLEY VIEW SHORT SUBDIVISION SPC-8-78 RECORDED UNDER RECORDING NUMBER 7906261130.

Situate in the County of King, State of Washington.

Dated this 31 day of OCTOBER, 2012.

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

Robert Warren

Section Manager, Northwest Region

Toxics Cleanup Program

Department of Ecology

## STATE ACKNOWLEDGMENT

STATE OF WASHINGTON COUNTY OF King

On this 31 day of October, 2012, I certify that Robert Warren personally appeared before me, acknowledged that he is the Section Manager for the Northwest Region of the Toxics Cleanup Program of the state agency that executed the within and foregoing instrument, and signed said instrument by free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument for said state agency.

Notary Public in and for the State of Washington, residing at King Co.

My appointment expires: 12-19-12.

RMINATION & RELEASE OF DECLARATION OF RESTRICTIVE COVENANT

The undersigned E. Gilbert Leon, Jr., duly authorized representative of Earle M. Jorgensen Company, hereby consents to the release and termination of the above-described Declaration of Restrictive Covenant.

| EARLEM JORGENSEN COMPANY  |  |  |  |
|---|--|--|--|
| E Gilbert Leon, Jr<br>Chief Financial Officer   |  |  |  |
| Dated: 9.7.12   |  |  |  |
| CORPORATE ACKNOWLEDGMENT  |  |  |  |
| STATE OF CALIFORNIA COUNTY OF LOS Awyeles   |  |  |  |
| On this Ith day of Sept., 2012, appeared before me, acknowledged that I corporation that executed the within and foreg by free and voluntary act and deed of said comentioned, and on oath stated that he was au corporation. | going instrument, and signed said instrument orporation, for the uses and purposes therein |  |  |
|   | Notary Public in and for the State of Washington, residing at                              |  |  |
|   | My appointment expires:  |  |  |

| State of California  |                                 | }  |  |
|--|---------------------------------|--|--|
| On Sept. 7, 2012 before  |                                 | inza LNoreis Notam Pu  | die  |
| personally appeared E. GL  | lbert Le                        | ON, JR<br>Name(s) of Signer(s)   |  |
|  | 6<br>5<br>1<br>1<br>1<br>1<br>1 | who proved to me on the basis of evidence to be the person(s) whose no subscribed to the within instrument and a come that he/she/they executed the his/her/their authorized capacity(ies), his/her/their signature(s) on the instrument of the instru | ame( <del>s)</del> is/a <del>re</del><br>acknowledged<br>he same in<br>and that by<br>strument the<br>of which the |
| LAWANZA L. NORI COMMISSION # 169 Notary Public - Calife LOS ANGELES COU tily Camm. Expires Jun. 2  | 1307 O                          | certify under PENALTY OF PERJUF<br>aws of the State of California that t<br>paragraph is true and correct.   |  |
| -<br>Place Notary Seal Above   |                                 | WITNESS my hand and official seal.  Signature: Why All Market Public Signature of Notery Public  | 1gen/Pub   |
| Though the information below is not  | OPTIO                           |  | document   |
| <b>Description of Attached Docum</b>   | ent                             | 1  |  |
| - / - / .  |                                 | Coverant.  | HPER   |
| Document Date 8/7//2   |                                 | Number of Pages:   | INCL   |
| Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signe   |                                 |  |  |
| Signer's Name: EGIL beet, Le   |                                 | Signer's Name:   | 10000  |
| Corporate Officer — Title(s):  |                                 | ☐ Corporate Officer — Title(s):  |  |
|  | RIGHT THUMBPRINT<br>OF SIGNER   |  | GHT THUMBPRINT<br>OF SIGNER  |
| the second secon | Top of thumb here               | l l  | op of thumb here   |
| ☐ Attorney in Fact ☐ Trustee   |                                 | ☐ Attorney in Fact ☐ Trustee   |  |
| ☐ Guardian or Conservator  |                                 | ☐ Guardian or Conservator  |  |
| □ Other:   |                                 | ☐ Other:   |  |
| Signer Is Representing:  |                                 | Signer Is Representing:  |  |
|  |                                 |  |  |