

ACCESS AGREEMENT
Between the
Washington State Department of Ecology
and
Cassan Enterprises, Inc

The Washington State Department of Ecology (Ecology) and Cassan Enterprises, Inc. (collectively, "the Parties") agree to the following terms and conditions of this Access Agreement effective as of the latest date of the parties' signature (the "Effective Date").

1. Ecology is responsible for the investigation and remediation of hazardous waste sites in Washington pursuant to the Model Toxics Control Act (MTCA), chapter 70A.305 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 70A.305D.030(1)(a) & (b); WAC 173-340-800.
3. Cassan Enterprises, Inc. ("Property Owner") is the owner of real property located at 11839 NE 8th St. Bellevue, Washington ("Property"). The legal description of this property is:
 - POR NW 1/4 DAF-BEG ON N LN SD SUB 314.7 FT E OF E MGN OF N P R/W TH E 200 FT TH S 140 FT TH W 200 FT TH N 140 FT TO BEG LESS CO RD
4. The Property is either known to be, or has the potential to be, impacted by a possible migration of a groundwater plume (gasoline range petroleum hydrocarbons) originating from the Tiki Car Wash facility. The Tiki Car Wash is a known hazardous waste site, generally located at 11909 NE 8th St, Bellevue Washington. Tiki Enterprises, Inc. have been designated a "potentially liable person" for the Site under MTCA.
5. By signing this Access Agreement, Property Owner grants a temporary revocable license to Ecology, and/or any authorized representative(s) of Ecology, for the purpose of investigating the release or threatened release of hazardous substances from the Tiki Car Wash, including without limitation:
 - Access to any existing and newly installed groundwater monitoring wells for sampling events;
 - The installation of at least one (1), possibly two (2) groundwater monitoring wells;
 - Depending on the concentration of the gasoline in the groundwater, Ecology may need to perform a Vapor Intrusion Assessment to determine if the vapor from the gasoline in groundwater possess a vapor hazard to human health;
 - The Vapor Intrusion Assessment may include:
 - 24-hour indoor air sampling,

- Soil Vapor probe installation adjacent to the building,
- Potential slab sampling beneath the building.

Ecology will attempt to provide reasonable advance notice of entry by calling Property Manager Tuck Hoo at telephone number 206-232-1980 x 3, and via email tuck@dollardevelopment.com, or notifying Property Manager in person at least 24 hours in advance of entry on the Property. Ecology shall minimize the disruption and interference with any tenant operations on the Property.

6. This Access Agreement shall terminate upon the earlier of: (a) Ecology's completion of all investigative work involving the release or threatened release of hazardous substances from the Tiki Car Wash that is impacted or is potentially impacted the Property; or (b) twenty-four months from the Effective Date.
7. Each Party shall defend, protect, and hold harmless the other Party from and against all damages, costs, expenses, losses, claims, suits or actions arising from the negligent acts or omissions of its employees and/or authorized representatives while performing under the terms of this Access Agreement.
8. The Parties may mutually amend this Access Agreement. Any amendments shall not be binding on any party unless such amendments are in writing and signed by an authorized representative of both Parties.
9. The Access Agreement between the Parties contains all 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.

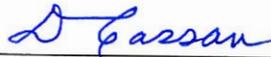
Department of Ecology



Date: 10/12/2021

Robert W. Warren
Section Manager, NWRO Region Toxics Cleanup Program
Department of Ecology

Property Owner (Cassan Enterprises, Inc.)

(signature) 

Date 09.30.2021

(print name) Doris Cassan, President