

WHEN RECORDED RETURN TO
Puget Western, Inc
19515 North Creek Parkway, Suite 310
Bothell, WA 98011



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KING COUNTY, WA

RESTRICTIVE COVENANT

Owner: Puget Western, Inc.
Ecology Washington State Department of Ecology
Abbreviated Legal Block 1-2, Walsworth's First Add. To Renton, Vol 6, P 23.
Full Legal Description on page(s): 3
Assessor's Tax Parcel Number(s): 9154600010

Parcel 2 – Formerly Part of the Puget
Sound Energy Grady Way Complex Property
915 South Grady Way, Renton, Washington

④ K805548-5K
1ST AM-S

This Declaration of Restrictive Covenant is made pursuant to RCW 70.105D.030(1)(f) and (g) and WAC 173-340-440 by Puget Western, Inc. (Owner) its successors and assigns, and the State of Washington Department of Ecology, its successors and assigns (hereafter "Ecology").

An independent remedial action (hereafter "Remedial Action") occurred at the property that is the subject of this Restrictive Covenant. The Remedial Action conducted at the property is described in the following documents which are on file at Ecology's Northwest Regional Office:

1. Environmental Site Assessment, Grady Way Complex Property, Renton, Washington - April 29, 1998. By GeoEngineers, Project No. 0186-407-00-1150/042998.
2. Confirmation Ground Water Sampling, First Quarter 1999, Grady Way Complex Property, Renton, Washington - June 7, 1999. By Geo-Engineers, Project No. 0186-407-00-1150/060799
3. Confirmation Ground Water Sampling, Second Quarter 1999, Grady Way Complex Property, Renton, Washington - July 22, 1999. By GeoEngineers, Project No. 0186-407-00-1150/72299.
4. Confirmation Ground Water Sampling, Third Quarter 1999, Grady Way Complex Property, Renton, Washington - December 21, 1999 By GeoEngineers, Project No. 0186-407-00-122199.
5. Confirmation Ground Water Sampling, Fourth Quarter 1999, Grady Way Complex Property, Renton, Washington - November 24, 1999. By GeoEngineers, Project No. 0186-407-00-1150/112499.
6. Supplemental Site Characterization and Site Closure Report, Grady Way Complex Property, Renton, Washington - December 21, 1999. By GeoEngineers, Project No. 0186-407-00-1150/122199.

This Restrictive Covenant is required because the Remedial Action resulted in leaving residual dissolved petroleum hydrocarbon and arsenic concentrations in groundwater which exceed the Model Toxics Control Act Method A Residential Cleanup Levels for groundwater established under WAC 173-340-740.

The undersigned, Puget Western, Inc, is the fee owner of real property (hereafter "Property") in the County of King, State of Washington, that is subject to this Restrictive Covenant. The Property is commonly known as Parcel 2 of the former Puget Sound Energy Grady Way Complex site (see attached map) and is legally described in exhibit A-2 (attached).

Puget Western, Inc., makes the following declaration as to limitations, restrictions, and uses to which the Property may be put and specifies that such declarations shall constitute covenants to run with the land, as provided by law and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Property (hereafter "Owner").

Section 1. The Property contains residual dissolved petroleum hydrocarbon and arsenic concentrations in groundwater which exceed the Model Toxics Control Act Method A Residential Cleanup Levels for groundwater. During at least one past ground water monitoring event, dissolved petroleum hydrocarbons have been detected in monitoring wells GMW-8, GMW-13, and GMW-14 (see attached map), dissolved arsenic has been detected in GMW-8.

Section 2. No groundwater may be taken from the Property for any use

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EXHIBIT "A-2"

LEGAL DESCRIPTION

DEPARTMENT OF ECOLOGY PARCEL 2

All those portions of Blocks 1 and 2, including the unnumbered tracts adjoining the lots in Block 1 of Walsworth's First Addition to Renton, according to the plat recorded in Volume 6 of Plats at page 23 in King County, Washington, lying Southerly of South Grady Way and Northeasterly of Talbot Road South;

TOGETHER WITH those portions of Burnett Avenue South and South 8th Avenue vacated by City of Renton Ordinance No. 2850, which attached thereto by operation of law, more particularly described as follows:

COMMENCING at the Northeast corner of Section 19, Township 23 North, Range 5 East, W.M., King County, Washington;

THENCE South 00° 44' 46" West along the East line of said Section 19, a distance of 72.43 feet to the Southerly margin of said South Grady Way and the beginning of a non-tangent curve to the right, from which point the radius point bears North 40° 22' 46" West, 3,857.93 feet distant;

THENCE Southwesterly along said Southerly margin and the arc of said curve to the right, passing through a central angle of 04° 09' 58", an arc distance of 280.53 feet to the POINT OF BEGINNING.

THENCE CONTINUING along said Southerly margin and the arc of said curve to the right, passing through a central angle of 01° 56' 55", an arc distance of 131.21 feet to a point of reverse curvature with a 45.00 foot radius curve to the left;

THENCE along the arc of said curve, passing through a central angle of 88° 36' 19", an arc distance of 69.59 feet to a point on the Easterly margin of Talbot Road South;

THENCE South 32° 52' 11" East along said Easterly margin, 147.91 feet to the beginning of a 750.00 foot radius curve to the right;

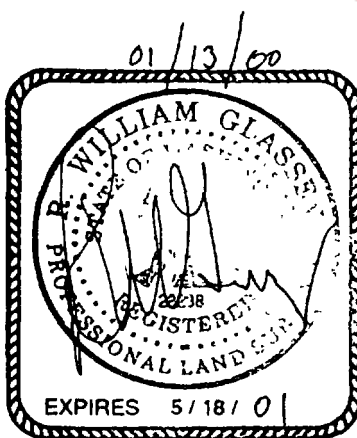
THENCE along said Easterly margin and the arc of said curve, passing through a central angle of 13° 16' 16", an arc distance of 173.72 feet;

THENCE South 89° 42' 59" East, 175.14 feet to the East line of said Section 19;

THENCE North 00° 44' 46" East along said East line, 87.43 feet;

THENCE North 32° 52' 11" West, 393.46 feet to the POINT OF BEGINNING.

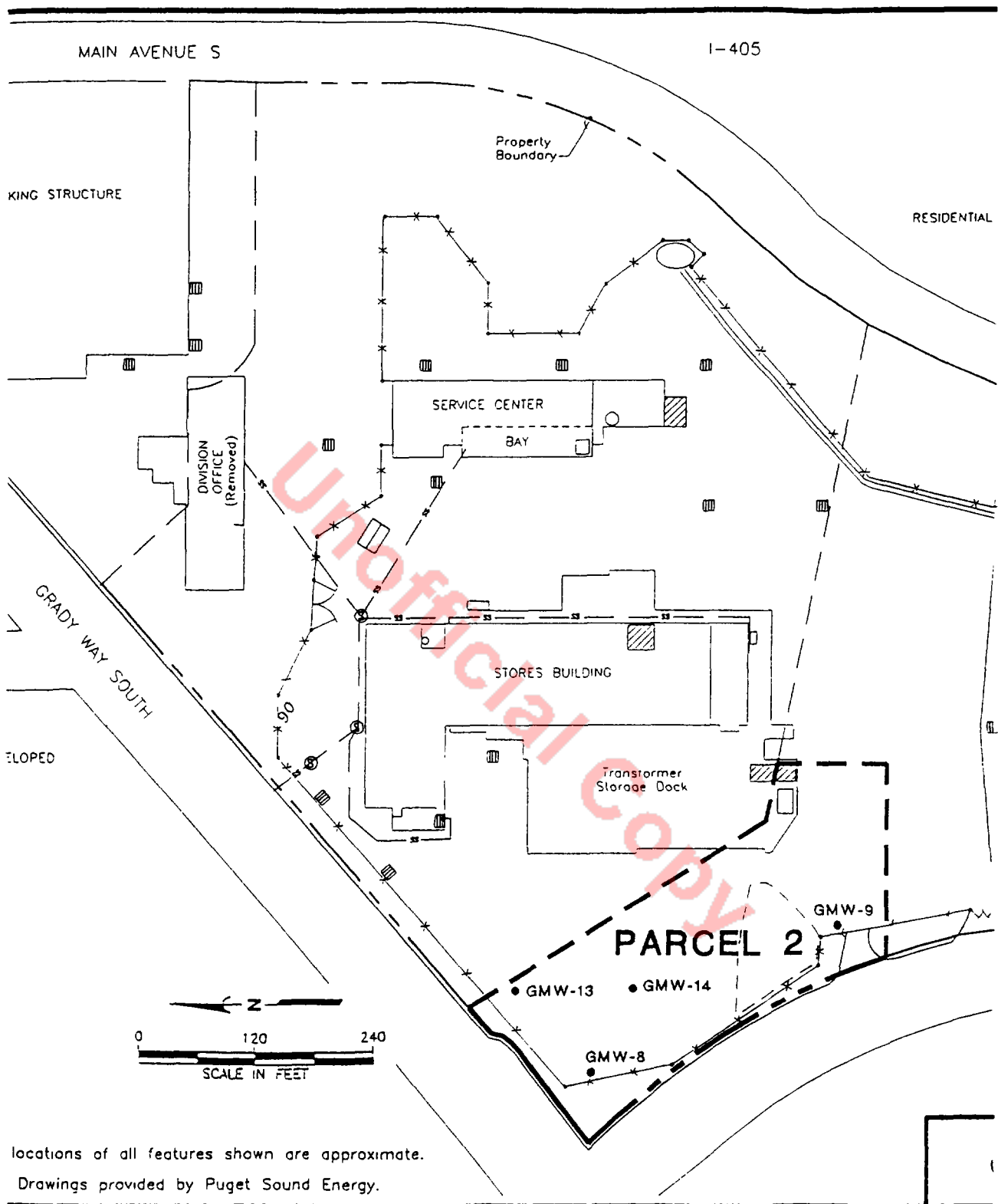
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Project Name: Puget Western, Inc.
January 12, 2000

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locations of all features shown are approximate.
Drawings provided by Puget Sound Energy.