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FILED
KING COUNTY WASHINGTON

APR 01 2024

SUPERIOR COURT CLERK

**STATE OF WASHINGTON
KING COUNTY SUPERIOR COURT**

STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY,

Plaintiff,

v.

SEATTLE CHINATOWN
INTERNATIONAL DISTRICT
PRESERVATION AND
DEVELOPMENT AUTHORITY,

Defendant.

NO. 24-2-05868-1 SEA

AMENDMENT NO. 1 TO PROSPECTIVE
PURCHASER CONSENT DECREE

INTRODUCTION

A. A Prospective Purchaser Consent Decree (Decree) was entered by this Court on March 18, 2024. The Decree is a negotiated settlement between the State of Washington, Department of Ecology (Ecology) and the Seattle Chinatown International District Preservation and Development Authority (SCIDpda), entered pursuant to RCW 70A.305.040(5), to (1) prospectively resolve the potential liability of SCIDpda for contamination at the Spic N Span Site (Site) arising from a release(s) or threatened release(s) of hazardous substances, in advance of SCIDpda purchasing an ownership interest in the Site, and (2) facilitate the cleanup of the Site for redevelopment and reuse as community-oriented affordable housing.

1 B. Pursuant to the caption and Decree Section IV.D, the current parties to the Decree
2 are Ecology and SCIDpda. No later than April 8, 2024, an interest in property at the Site will be
3 acquired by Mayborn LLLP. Mayborn LLLP is a Washington limited liability limited partnership
4 created to own property at the Site. Mayborn LLLP's general partner is SCIDpda. Mayborn LLLP
5 will have an ownership interest in real property within the Site.

6 C. This first amendment (First Amendment) is solely to add Mayborn LLLP as a
7 defendant to the Decree.

8 **AMENDMENT TO CONSENT DECREE**

9 Based on the foregoing, and pursuant to the provisions of Section XVI (Amendment of
10 Decree), Ecology, Seattle Chinatown International District Preservation and Development
11 Authority, and Mayborn LLLP stipulate and agree that the Decree should be amended, as follows:

12 A. All terms of the Decree remain in effect unless expressly amended herein.

13 B. In addition to Seattle Chinatown International District Preservation and
14 Development Authority, Mayborn LLLP is added as a defendant to the Decree and to the caption
15 of this matter.

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18 STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

ROBERT W. FERGUSON
Attorney General

19 DocuSigned by:
20 *Barry Rogowski*
6A0C8B7E6E90424

DocuSigned by:
Derek Threet
BAF268D9509D45D

21 Barry Rogowski
22 Program Manager
Toxics Cleanup Program
(360) 407-7177

Derek Threet, WSBA #45808
Assistant Attorney General
(360) 586-6752

23 Date: March 28, 2024

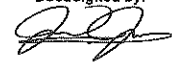
Date: March 28, 2024

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MAYBORN LLLP, a Washington limited liability limited partnership

By: Seattle Chinatown-International District Preservation and Development Authority

Its: General Partner


Designed by:


By: _____
43F45E3022804C4...

Jared Jonson
Co-Executive Director
(206) 838-8714

Date: March 28, 2024

ENTERED this APR 01 2024



JUDGE
King County Superior Court