

Return Address:

Penny Goehner
Chelan County Public Works
350 Orondo Avenue
Wenatchee, WA 98801

The information contained in this boxed section is for recording purposes only pursuant to RCW 36.18 and RCW 65.04, and is not to be relied upon for any other purpose, and shall not affect the intent of the warranty contained in the document itself.

Document Title: Notice of Closure for Dryden Landfill
Grantor(s): Chelan County
Grantee(s): N/A
Legal Description: part of NW quarter of Section 27, Township 24 North, Range 18 East, W.M.
Assessor's Tax Parcel ID: 24 18 27 823 007

Filed with the Auditor pursuant to RCW 39.34.040

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08/30/2004 09:29A
Chelan Co, WA
LANDUSE
CHELAN COUNTY PUBLIC WORKS

NOTICE OF CLOSURE FOR DRYDEN LANDFILL

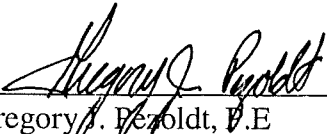
Subject Real Property: Approximately 9.16 acres located one mile east of the Town of Dryden, located in Northwest quarter of Section 27, Township 24 North, Range 18 East, W.M., Latitude 47 degrees 32' 53" and Longitude 120° 34' 23" in Chelan County, Washington, as in Exhibit A-1 attached hereto.

The landfill was operated as an orchard, and in 1960 was operated as a landfill. Chelan County took over operations of the landfill and operated the municipal solid waste landfill on the described real property through 1986. There is approximately 231,000 tons of solid waste in the landfill. In 1986 a substandard cover was placed over the landfill and other closure activities undertaken including the installation of monitoring wells. In 2004, Chelan County complied with the requirements of WAC Chapter 173-304, Minimal Functional Standards, for final closure and installed an approved final cover over the landfill.

Chelan County is performing post-closure maintenance and monitoring activities on the described real property. These activities include ground water, surface water, gas and ground settling monitoring, and maintenance of the facility, facility structures, the vegetative layer and the monitoring systems.

ACCEPTED:

Chelan County Public Works Department




Gregory J. DeZoldt, P.E.
Director of County Engineer

Dated: 25 MAY, 2004

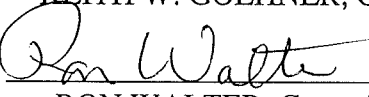
DATED at Wenatchee, Washington this 25 day of May, 2004.



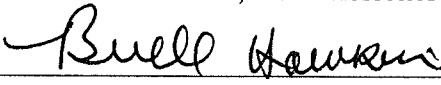
BOARD OF COUNTY COMMISSIONERS



KEITH W. GOEHNER, Chairman



RON WALTER, Commissioner



BUELL HAWKINS, Commissioner

ATTEST: JANET K. MERZ

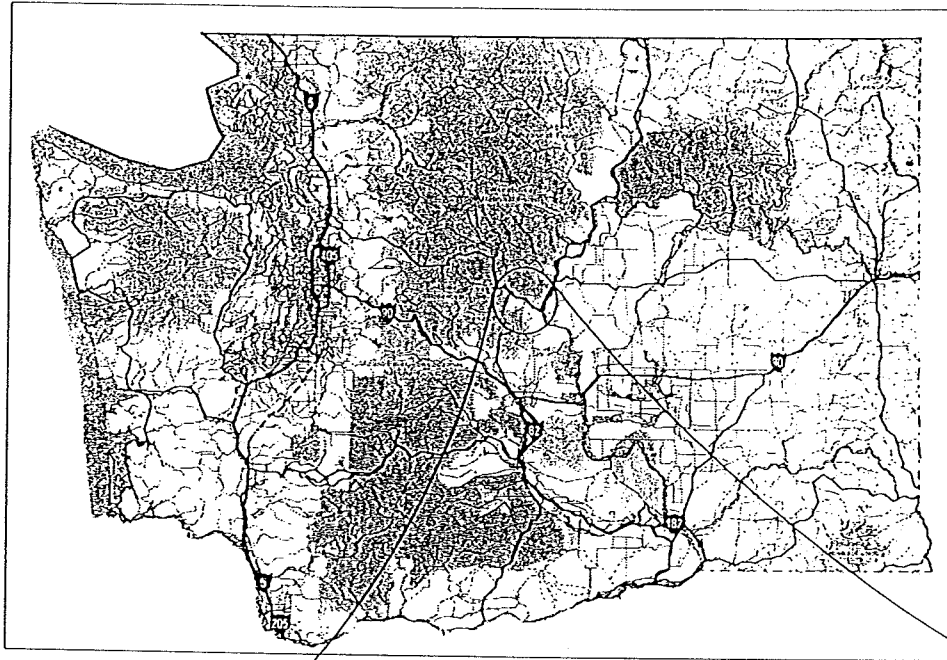


Clerk of the Board

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Chelan Co, WA

CHELAN COUNTY PUBLIC WORK LANDUSE

EXHIBIT 1A



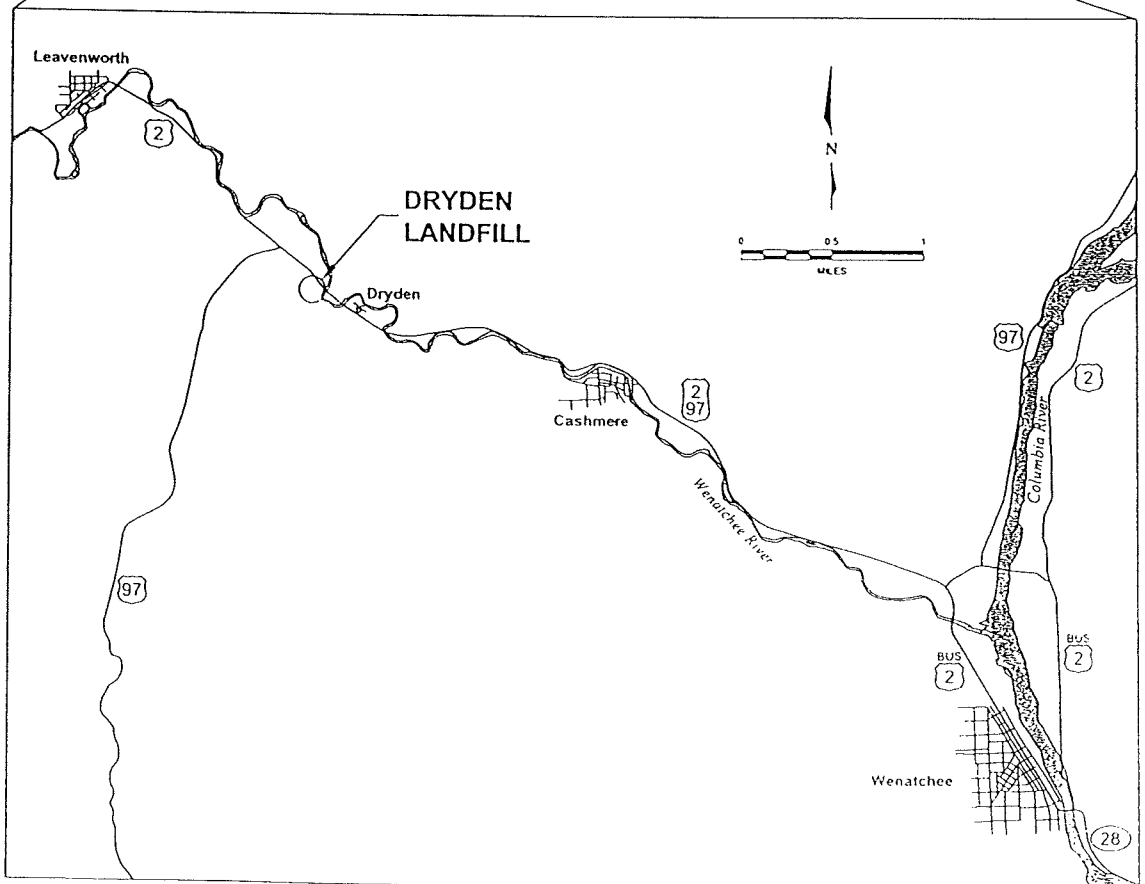
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Chelan Co., WA

LANDUSE

CHELAN COUNTY PUBLIC WORK



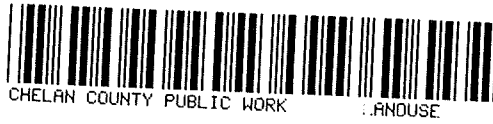
VICINITY MAP



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Chelan Co., WA

CHELAN COUNTY PUBLIC WORK

LANDUSE



RESTRICTIVE COVENANT FOR THE DRYDEN LANDFILL CHELAN COUNTY, WASHINGTON

This Declaration of Restrictive Covenant is made pursuant to RCW 70.105D.030 (1) (f) and (g) and WAC 173-340-440 by Chelan County, 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 document: CHELAN COUNTY'S NOTICE OF CLOSURE AND DEVELOPMENT RESTRICTIONS FOR DRYDEN LANDFILL. This document is on file at Ecology's Central Regional Office.

This Restrictive Covenant is required because a conditional point of compliance has been established for Landfills.

The undersigned, Chelan County, is the fee owner of real property, hereafter "Property", in the County of Chelan, State of Washington, that is subject to this Restrictive Covenant. The Property is legally described in attachment of this restrictive covenant and made a part hereof by reference.

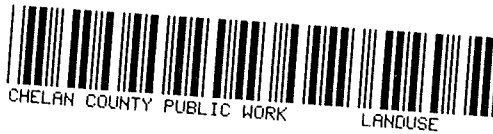
Chelan County makes the following declaration as to limitations, restrictions, and uses to which the Property may be put and specifies that such declarations shall constitute covenants to run with the land, as provided by law and shall be binding on all parties and all persons claiming under them, including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

Section 1:

The property shall remain as a closed landfill and be maintained by Chelan County throughout post closure. Any activity on the Property that may result in the release or exposure to the environment of the contaminated materials within the landfill cap that was contained as part of the Remedial Action, or create a new exposure pathway, is prohibited. Some examples of activities that are prohibited in the capped areas include: drilling, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, without prior written permission from Department of Ecology.

Section 2:

Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.



Section 3:

The Owner of the property must give thirty (30) day written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

Section 4:

The Owner must restrict leases to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restrictions on the use of the Property.

Section 5:

The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant. Ecology may approve any inconsistent use only after public notice and comment.

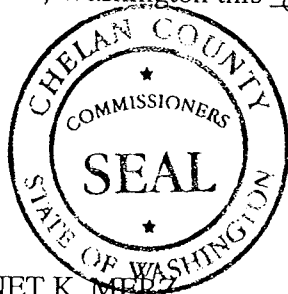
Section 6:

The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the property, and to inspect records that are related to Remedial Action.

Section 7:

The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Restrictive Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

DATED at Wenatchee, Washington this 25 day of May, 2004.



BOARD OF COUNTY COMMISSIONERS

Keith W. Goehner

KEITH W. GOEHNER, Chairman

Ron Walter

RON WALTER, Commissioner

Buell Hawkins

BUELL HAWKINS, Commissioner

ATTEST: JANET K. MERZ

Janet K. Merz
Clerk of the Board