



PERIODIC REVIEW

**Georgetown Center
Facility Site ID#: 96679259**

**5959-5963 Corson Avenue South,
829 and 835 S. Fidalgo, 800 South Michigan St. (Co. records),
Seattle, Washington**

Northwest Region Office

TOXICS CLEANUP PROGRAM

June 2015

1.0 INTRODUCTION.....	1
2.0 SUMMARY OF SITE CONDITIONS	2
2.1 Site Description and History	2
2.2 Site Investigations and Sample Results	2
2.3 Cleanup Actions.....	2
2.4 Cleanup Levels.....	6
2.5 Restrictive Covenant.....	6
3.0 PERIODIC REVIEW.....	8
3.1 Effectiveness of completed cleanup actions	8
3.2 New scientific information for individual hazardous substances for mixtures present at the Site	8
3.3 New applicable state and federal laws for hazardous substances present at the Site	8
3.4 Current and projected Site use	9
3.5 Availability and practicability of higher preference technologies	9
3.6 Availability of improved analytical techniques to evaluate compliance with cleanup levels	9
4.0 CONCLUSIONS.....	10
4.1 Next Review.....	10
5.0 REFERENCES.....	11
6.0 APPENDICES.....	12
6.1 Vicinity Map	13
6.2 Site Plan	14
6.3 TPH-Dx Concentration Map.....	15
6.4 Environmental Covenant	16
6.5 Photo log	22

1.0 INTRODUCTION

This document is a review by the Washington State Department of Ecology (Ecology) of post-cleanup Site conditions and monitoring data to ensure that human health and the environment are being protected at the Georgetown Center (Site). Cleanup at this Site was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC).

Cleanup activities at this Site were completed under the Voluntary Cleanup Program (VCP). The cleanup actions resulted in concentrations of petroleum hydrocarbons remaining at the Site which exceed MTCA cleanup levels. The MTCA cleanup levels for soil are established under WAC 173-340-740. The MTCA cleanup levels for groundwater are established under WAC 173-340-720. WAC 173-340-420 (2) requires that Ecology conduct a periodic review of a Site every five years under the following conditions:

- (a) Whenever the department conducts a cleanup action
- (b) Whenever the department approves a cleanup action under an order, agreed order or consent decree
- (c) Or, as resources permit, whenever the department issues a no further action opinion;
- (d) and one of the following conditions exists:
 - 1. Institutional controls or financial assurance are required as part of the cleanup
 - 2. Where the cleanup level is based on a practical quantitation limit
 - 3. Where, in the department's judgment, modifications to the default equations or assumptions using Site-specific information would significantly increase the concentration of hazardous substances remaining at the Site after cleanup or the uncertainty in the ecological evaluation or the reliability of the cleanup action is such that additional review is necessary to assure long-term protection of human health and the environment.

When evaluating whether human health and the environment are being protected, the factors the department shall consider include [WAC 173-340-420(4)]:

- (a) The effectiveness of ongoing or completed cleanup actions, including the effectiveness of engineered controls and institutional controls in limiting exposure to hazardous substances remaining at the Site;
- (b) New scientific information for individual hazardous substances or mixtures present at the Site;
- (c) New applicable state and federal laws for hazardous substances present at the Site;
- (d) Current and projected Site use;
- (e) Availability and practicability of higher preference technologies; and
- (f) The availability of improved analytical techniques to evaluate compliance with cleanup levels.

The Department shall publish a notice of all periodic reviews in the Site Register and provide an opportunity for public comment.

2.0 SUMMARY OF SITE CONDITIONS

2.1 Site Description and History

Georgetown Center was and is located at 5959-5963 Corson Avenue South in Seattle, Washington. The two areas of environmental interest: 1) a Gull service station, formerly located on the southeast corner of the Site between 1974 and 1988, and 2) an automotive service center, formerly located at the northern end of the Site. The areas now appear in county records as two parcels with addresses of 800 South Michigan Street containing the location of the former Gull Station, and 5959 Corson Avenue South containing the location of the former automotive service center. Actual addresses at the location: 5959-5963 Corson Ave. S., and 829 and 835 S. Fidalgo.

The Site is approximately 8 acres in size and was and is occupied by five or six commercial buildings (depending on how you count them as they appear connected to form two buildings) surrounded by paved parking and grass areas. The buildings occupy approximately 130,000 square feet. Corson Avenue South and South Michigan Street bound the Site to the east and south, respectively. Commercial and light industrial areas are located to the northeast, east and south of the Site. A residential area is located to the north and northwest of the Site.

The 5959 address consists of connected buildings (2, 5, and 6) and has several businesses in it, two of which are Miller Paint and Virginia Mason Business Center. There does not seem to be a need to include this parcel in the restrictions of the restrictive covenant, but it nevertheless is referenced in the covenant. The other connected buildings (1, 3, and 4) are a strip mall with numerous businesses in various suites, and contains the 5961 and 5963 addresses as well as the S. Fidalgo addresses, and appears in the county records as 800 S. Michigan.

The Site is situated with the Duwamish River floodplain. The elevation is slightly above sea level at approximately 20 feet Mean Sea Level (MLS). The Duwamish River floodplain is typically underlain by 100 to 300 feet of alluvial deposits. These deposits include fine sand, silty fine sand, fine sandy silt, and non-plastic silt. Locally the alluvium includes coarse gravel and cobbles where steeper gradient streams enter the valley. The September 2001 drilling activities (see below) revealed the presence of yellow to dark-brown, dry to moist, fine to coarse-grained silty sand to a depth of approximately 10 feet below ground surface (bgs). Dark- brown to dark-gray, wet, medium-grained, dense sand underlies the Site at the depths greater than 10 feet bgs. Shallow groundwater was encountered at depths ranging from 8 to 10 feet bgs. The groundwater occurs in an unconfined sand layer underlying the Site.

2.2 Site Investigations and Sample Results

ATC Associates (ATC) performed subsurface investigations in 1999 and 2001 in both areas of environmental interest. The subsurface soil and groundwater sample analyses obtained at the former Gull service station revealed the presence of total petroleum hydrocarbons (TPH) above the Ecology MTCA Method A residential cleanup levels. One subsurface soil sample obtained within the former auto service center revealed the presence of perchloroethylene (PCE) above the laboratory detection limit, but below the MTCA Method A cleanup level. In addition, a

Texaco service station, located to the south of the Site was identified as a potential off-Site source of petroleum hydrocarbon contamination. In September 2001, Kleinfelder sampled subsurface soil and shallow groundwater within the areas of interest. Seven soil borings ranging to the depths of 20 to 30 bgs feet were drilled at the Georgetown Center. Six borings were converted into monitoring wells. The investigation included sampling of: 1) the six recently installed monitoring wells, 2) one existing on-Site monitoring well, and 3) two Texaco service station monitoring wells located to the south of the Site. The soil and groundwater samples were analyzed for volatile organic compounds (VOCs) and TPH as gasoline, kerosene, diesel, and heavy oil. Selected soil samples collected from the borings located at the former Gull service station and at the former auto service center were submitted to the analytical laboratory for chemical analysis. Three separate groundwater samples were obtained at 10-foot intervals during drilling from the soil boring located at the former auto service center. The samples were collected at the depths of 12 feet bgs, 20 feet bgs, and 30 feet bgs and submitted to the analytical laboratory for chemical analysis. After drilling, groundwater samples were collected from 1) the six monitoring wells recently installed on-Site, 2) one monitoring well previously installed on-Site in the area of the former Gull service station, and 3) two monitoring wells located to the south of the Site (associated with Texaco service station). The soil and groundwater samples were analyzed for VOCs and TPH as gasoline, kerosene, diesel, and heavy oil. The soil and groundwater analytical results reported concentrations either below the laboratory reporting limit or the MTCA Method A or B cleanup levels.

Previous environmental assessments identified two areas of environmental concern: the former Gull service station and the former automotive service center. The Gull service station, formerly located on the southeast corner of the Site, referred to on Site maps as Parcel B (not equivalent to county parcels) had reported petroleum hydrocarbon concentrations in soil and ground water above Ecology MTCA Method A residential cleanup levels. PCE was also detected in soil and groundwater in this area above reporting limits but below MTCA Method A cleanup limits for soil and groundwater. In the former automotive service center, at the northern end of the Site, PCE was reported in one out of six groundwater samples collected. The PCE concentration was below Ecology MTCA Method A and B cleanup levels. A Texaco service station and the Alki Auto Body Shop were also identified as potential sources of off-Site contamination.

GeoEngineers (1986) reported that a Gull service station was located near the southeastern corner of the Site until 1988. The station consisted of two service islands, a kiosk, and three underground storage tanks (USTs). In 1984, the southernmost UST was apparently removed and a new UST was placed north of the remaining two USTs. No evidence of soil or groundwater contamination was reported. In November 1986, three soil borings (GW-1, GW-2 and GW-3) were drilled and completed as monitoring wells in the vicinity of the USTs on the southern portion of the property. Soil and ground water samples were not collected from the borings or wells for submittal to a laboratory for chemical analysis. However, visual evidence of petroleum hydrocarbon contamination was noted in the soil samples and a petroleum sheen was observed in ground water obtained from wells GW-1.

Three USTs associated with the Gull service station were removed in September 1987. Applied Geotechnology, Inc. (AGI) monitored the removal of the three USTs. Evidence of minor

corrosion was observed on the exterior of two of the tanks. Evidence of petroleum spillage was also observed near the fill pipes on all three tanks. About 220 cubic yards of petroleum impacted soil was removed from the south, east and west sides of the UST excavation. AGI reported that apparent hydrocarbon impacted soil was left in place along the south wall of the UST excavation. The excavated soil was aerated on-Site and placed back in the excavation. Ecology was notified of the tank excavation activities according to a letter from AGI.

ATC Associates Inc. (ATC) performed an Environmental Site Assessment at the Georgetown Center. ATC identified two areas of potential environmental concern. These areas included the former Gull service station and a former automotive service center. ATC performed a preliminary subsurface investigation in September and October of 1999. The investigations included nine direct push borings (B-1 through B-4 and B-8 through B-12) in the vicinity of the former Gull service station and six borings (B-5, B-6, B-7, B-13, B-14 and B-15) in the vicinity of the former auto service center. In June 2001, ATC completed four additional soil borings (GP-1, GP-2, GP-3, and GP-4) and one groundwater monitoring well (MW-1) in the area of the former Gull service station area. The soil samples obtained from borings B-4 and B-8 (former Gull service station) indicated the presence of TPH as gasoline, benzene and total xylenes above the Ecology MTCA Method A residential cleanup levels. TPH as gasoline was reported in soil borings B-8 at 11 feet bgs and GP-3 at 8 feet bgs at concentrations of 4,300 milligrams per kilogram (mg/kg) and 1,020 mg/kg, respectively. Benzene was reported in boring B-8 at 11 feet bgs at a concentration of 15 mg/kg. Total xylenes were reported in boring B-8 at 11 feet bgs at a concentration of 270 mg/kg. PCE was detected in borings B-10 at 11 feet bgs and B-12 at 5 feet bgs at concentrations of 0.1 mg/kg and 0.07 mg/kg, which is below Ecology MTCA Method A cleanup level. No diesel or motor oil hydrocarbons were detected in the soil samples. Benzene concentrations above the MTCA Method A cleanup level were reported in groundwater samples obtained from borings B-3, B-4, B-8, and GP-3 located at the Gull service station. TPH as gasoline was reported above the MTCA Method A cleanup level in a groundwater sample obtained from boring B-8 at 18 milligram per liter (mg/l). PCE at concentration of 1.1 micrograms per liter (ug/l) was reported in groundwater sample obtained from boring B-2. This concentration is near the reporting limit and below the MTCA Method A cleanup level. A duplicate sample from B-2 was found to not contain PCE at or above the reporting limit. No diesel or motor oil hydrocarbons were reported in the ground water samples. The soil samples obtained from borings located at the former auto service center did not reveal concentrations of any analyte above the MTCA Method A cleanup levels. The groundwater samples obtained from the borings B-13 and B-14 revealed benzene concentrations near the MTCA Method A cleanup level (6.2 ug/l and 9.1 ug/l, respectively). Toluene, ethylbenzene and xylenes were detected in groundwater in two borings (B-13 and B-14) at concentrations below the MTCA Method A cleanup levels. PCE was reported at 1.4 ug/l in boring B-7, which was near the analytical reporting level and below the MTCA Method A cleanup level.

The Ecology files on the Texaco station were reviewed by Kleinfelder to determine if the data supported the ATC conclusion that the Texaco dissolved phase hydrocarbon plume had encroached onto the Georgetown Center property. The data review centered on wells MW-4, MW-7 and MW-9. Well MW-4 is on the hydrologic down-gradient edge of the Texaco Site and wells MW-7 and MW-9 are located across Michigan Street in the cross-gradient direction of the

Georgetown Center. The data indicate that the contaminants of concern in MW-4 appear to have decreased over time. Samples were collected from wells MW-7 and MW-9 from 1990 to 1997. Both of these wells had benzene concentrations above Method A cleanup levels in 1990 and 1991. Since that time, the contaminants of concern have been below method detection levels, with minor exceptions.

2.3 Cleanup Actions

The shallow groundwater and subsurface soils were investigated to address concerns expressed by Ecology for two areas of the Georgetown Center. These areas are: 1) the former Gull service station, located on the southeast corner of the Site between 1974 and 1988, and 2) the former automotive service center, located at the northern end of the Site. In addition, a Texaco service station, located to the south of the Site was identified as a potential off-Site source of environmental concern. 220 cubic yards of petroleum impacted soil was removed from the south, east and west sides of a UST excavation 1987. AGI reported that apparent hydrocarbon impacted soil was left in place along the south wall of the UST excavation. The excavated soil was aerated on-Site and placed back in the excavation. Needing more characterization as part of a VCP cleanup review, Ecology requested that Equity Office Properties (EOP) develop recommendations for further actions, to be carried out to assess the following:

- groundwater flow at the Site and aquifer parameters that may be affecting contaminant fate and transport,
- the horizontal extent of ground water containing petroleum hydrocarbons (and possibly PCE) in the former Gull gasoline station area of the Site,
- the potential impact to the site groundwater from the Texaco service station located to the southeast of the Site,
- the vertical extent of PCE, TPH diesel, and aromatic hydrocarbons in the former auto service center area of the Site,
- whether the groundwater underlying the residential area to the north of the former auto service center have been impacted by on-Site activities,
- the potential impact to the Site groundwater from the Alki Auto Body facility to the east, and
- water quality along the western edge of the property.

Kleinfelder performed subsurface soil and shallow groundwater sampling within the area in September 2001 as detailed above. The data and information gathered during Kleinfelder's field investigations do not indicate any threat to human health or the environment. The soil and groundwater at the Georgetown Center had petroleum hydrocarbon and VOCs concentrations either below the Ecology MTCA Method A residential cleanup standards, or below laboratory reporting limits. One area still remained of interest at the Georgetown Center. TPH as gasoline and benzene concentrations (4,300 mg/kg and 15 mg/kg, respectively) were reported by ATC under the sidewalk along Michigan Street adjacent to the former Gull service station. These concentrations are above MTCA Method A cleanup levels for unrestricted land use.

The consultant alleged the results of their investigation support the previous interpretations that impact to the groundwater from the former Gull service station and auto service center were small, with reported values of VOCs and total petroleum hydrocarbons well below available Ecology MTCA Method A and B cleanup levels. They supported their conclusion with the following findings:

- There is no indication of a threat to human health or the environment.
- There is no evidence of chemicals of concern migrating on to or off of the Site.
- Residual petroleum hydrocarbons affected soil is present in the vicinity of the former USTs of a former Gull service station. The affected soil is located adjacent to the sidewalk at Michigan Street and away from structures at the Site.
- Chemicals of concern were detected in two of the six monitoring wells and one of the borings in this investigation. Ground water chemical concentrations were all significantly lower than their respective MTCA method A cleanup levels.
- In monitoring well MW-2, located approximately 75 feet and directly downgradient of the former USTs, only naphthalene was reported in ground water. Naphthalene was reported at a concentration near the reporting limit (3 ug/l) and more than 50 times lower than the MTCA method A limit for that compound. The lack of detection of significant concentrations of chemicals of concern in MW-2, 14 years after UST removal, further indicates residual concentrations of chemicals of concern are small, and that these chemicals are generally non-mobile and/or naturally degrading.

Ecology eventually agreed after additional groundwater monitoring. Two 'No Further Action' (NFA) letters were issued on May 5, 2003. One NFA letter was for all of the property, excluding the former Gull Station area, and did not require a restrictive covenant because standard points of compliance were met. The other NFA letter was for the former Gull Station area and required a restrictive covenant recorded with the county.

2.4 Cleanup Levels

The cleanup standards selected for this Site were MTCA Method A unrestricted land uses for soil and MTCA Method A for groundwater. The soil and shallow groundwater investigations were conducted in accordance with VCP and MTCA guidelines, rules and regulations.

2.5 Restrictive Covenant

Based on the Site use, surface cover and cleanup levels, it was determined that the Site was eligible for a 'No Further Action' determination if a Restrictive Covenant was recorded for a portion of the property. A Restrictive Covenant was recorded in 2003 which imposed the following limitations:

Section 1. The Property contains residual TPH-gasoline in the soil which exceed the Model Toxics Control Act Method A Cleanup Levels at the southern location of the site as shown in Figure 3 (enclosed). The Owner shall not alter, modify or remove the existing structures nor conduct any other activity on the Property that may result in the

release or exposure to the environment of the residual TPH contaminated soil or groundwater that was contained on the site, or create a new exposure pathway without prior written approval from Ecology. Some examples of activities that are prohibited without prior written approval from Ecology include drilling, digging, 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 or spike or similar item, bulldozing or earthwork.

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

Section 3. 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 4. Any activity on the Property that may result in the release or exposure to the environment of the hazardous substances described in Section 1 above that remain on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Section 5. The Owner of the Property must give thirty (30) day advance 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. The Owner conveying any interest in the Property shall notify Ecology of the name, mailing address, and telephone number of the person or persons who acquired title, easement, lease or other interest in the Property within fifteen (15) days of the transaction.

Section 6. The Owner must restrict leases affecting the Property to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restrictions.

Section 7. 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 8. 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 the Remedial Action.

Section 9. 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.

The Restrictive Covenant is available as Appendix 6.4.

3.0 PERIODIC REVIEW

3.1 Effectiveness of completed cleanup actions

The Restrictive Covenant for the Site was recorded and is in place. This Restrictive Covenant prohibits activities that will result in the release of contaminants at the Site without Ecology's approval, and prohibits any use of the property that is inconsistent with the Covenant. This Restrictive Covenant serves to ensure the long term integrity of the remedy.

Based upon the Site visit conducted on May 29, 2015, the remedy at the Site continues to eliminate exposure to contaminated soils by ingestion and contact. The asphalt appears in satisfactory condition and no repair, maintenance, or contingency actions have been required. The Site is still operating as a strip mall and commercial retail center. A photo log is available as Appendix 6.5.

Soils with TPH concentrations higher than MTCA cleanup levels are still present at the Site. However, the remedy prevents human exposure to this contamination by ingestion and direct contact with soils. The Restrictive Covenant for the property will ensure that the contamination remaining is contained and controlled.

3.2 New scientific information for individual hazardous substances for mixtures present at the Site

There is no new scientific information for the contaminants related to the Site.

3.3 New applicable state and federal laws for hazardous substances present at the Site

The cleanup at the Site was governed by Chapter 173-340 WAC. WAC 173-340-702(12) (c) [2001 ed.] provides that,

“A release cleaned up under the cleanup levels determined in (a) or (b) of this subsection shall not be subject to further cleanup action due solely to subsequent amendments to the provision in this chapter on cleanup levels, unless the department determines, on a case-by-case basis, that the previous cleanup action is no longer sufficiently protective of human health and the environment.”

Although cleanup levels changed for petroleum hydrocarbon compounds as a result of modifications to MTCA in 2001, contamination remains at the Site above the new MTCA Method A and B cleanup levels. Even so, the cleanup action is still protective of human health and the environment. A table comparing MTCA cleanup levels from 1991 to 2001 is available below.

Analyte	1991 MTCA Method A Soil Cleanup Level (ppm)	2001 MTCA Method A Soil Cleanup Level (ppm)	1991 MTCA Method A Groundwater Cleanup level (ppb)	2001 MTCA Method A Groundwater Cleanup Level (ppb)
Cadmium	2	2	5	5
Lead	250	250	5	15
TPH	NL	NL	1000	NL
TPH-Gas	100	100/30	NL	1000/800
TPH-Diesel	200	2000	NL	500
TPH-Oil	200	2000	NL	500

NL = None listed

3.4 Current and projected Site use

The Site is currently used for commercial purposes. There have been no changes in current or projected future Site or resource uses.

3.5 Availability and practicability of higher preference technologies

The remedy implemented included containment of hazardous substances, and it continues to be protective of human health and the environment. While higher preference cleanup technologies may be available, they are still not practicable at this Site.

3.6 Availability of improved analytical techniques to evaluate compliance with cleanup levels

The analytical methods used at the time of the remedial action were capable of detection below selected Site cleanup levels. The presence of improved analytical techniques would not affect decisions or recommendations made for the Site.

4.0 CONCLUSIONS

The following conclusions have been made as a result of this periodic review:

- The cleanup actions completed at the Site appear to be protective of human health and the environment.
- Soils cleanup levels have not been met at the standard point of compliance for the Site; however, the cleanup action has been determined to comply with cleanup standards since the long-term integrity of the containment system is ensured, and the requirements for containment technologies are being met.
- The Restrictive Covenant for the property is in place and continues to be effective in protecting public health and the environment from exposure to hazardous substances and protecting the integrity of the cleanup action.

Based on this periodic review, the Department of Ecology has determined that the requirements of the Restrictive Covenant continue to be met. No additional cleanup actions are required by the property owner. It is the property owner's responsibility to continue to inspect the Site to assure that the integrity of the remedy is maintained.

4.1 Next Review

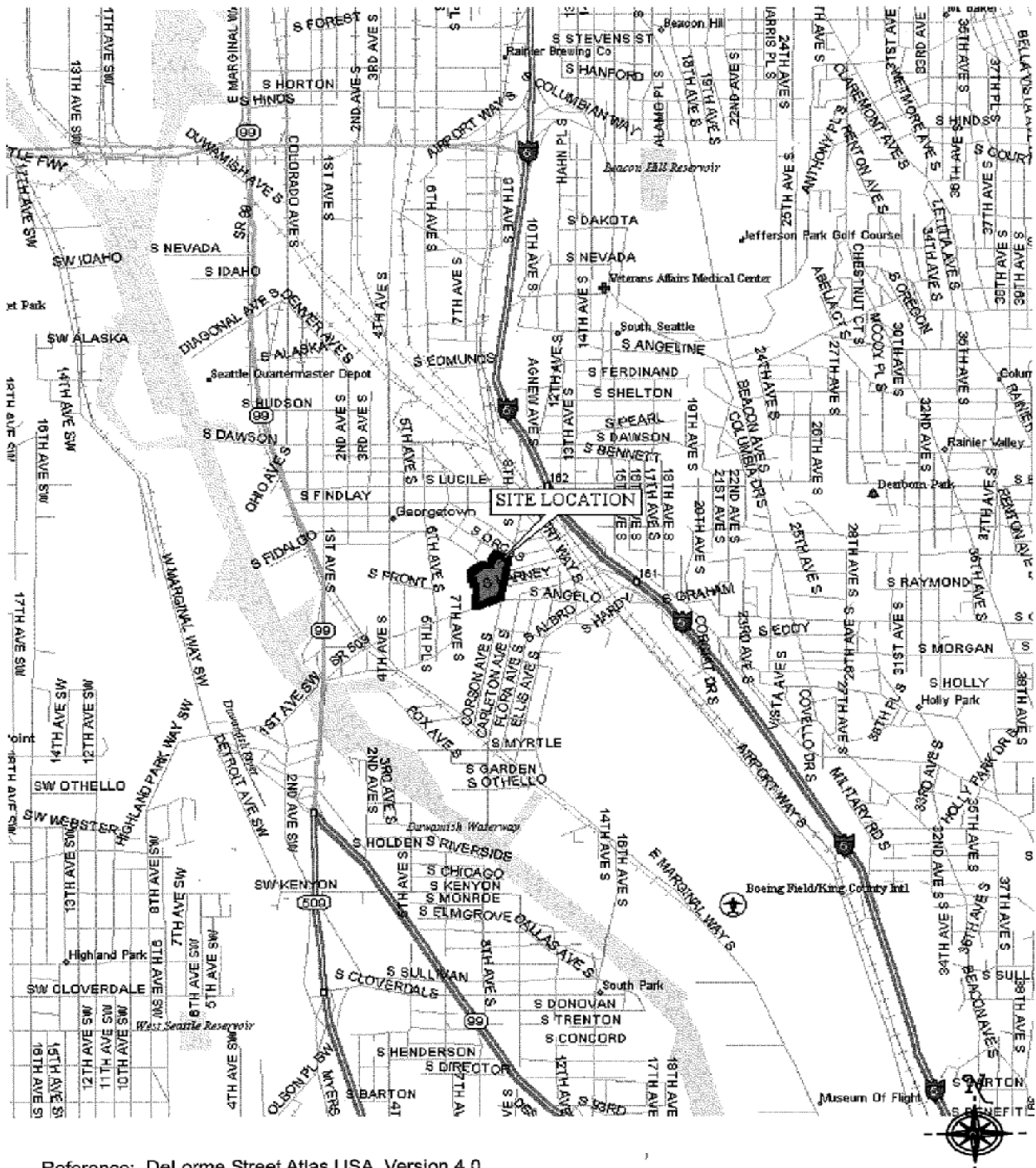
The next review for the Site will be scheduled five years from the date of this periodic review. In the event that additional cleanup actions or institutional controls are required, the next periodic review will be scheduled five years from the completion of those activities.

5.0 REFERENCES

1. Work Plan Shallow Groundwater Characterization, Georgetown Center, Corson Ave. S. and S. Michigan Street, Seattle, WA 98102, by Kleinfelder, Inc. Project # 60-2201-01 of July 30, 2001;
2. Preliminary Subsurface Investigation, Georgetown Center, Corson Ave. S. and S. Michigan Street, Seattle, WA 98108, by ATC Associates Inc., Project # 87676.2902 TASK 2 of December 15, 1999;
3. Phase I Environmental Site Assessment, Georgetown Center, Corson Ave. S. and S. Michigan Street, Seattle, WA 98108 by ATC Associates Inc., Project # 87676.2901 TASK 2 of December 15, 1999;
4. Phase I Environmental Site Assessment, Georgetown Center, Corson Ave. S. and S. Michigan Street, Seattle, WA. 98108, by Geo Engineers, Project # 1192-165-00-1150/063099, June 30, 1999;
5. Phase I Environmental Site Assessment, Georgetown Center, Corson Ave. S. and S. Michigan Street, Seattle, WA 98108 by Geo Engineers Project # 1192-092-R01/071393, July 13, 1993;
6. Soil and Groundwater Assessment Report, Georgetown Center, Corson Ave. S., Seattle, WA 98108, by Kleinfelder, Project # 60-2201-01, November 1, 2001;
7. Groundwater Compliance Monitoring Plan Parcels A and B, Georgetown Center, Corson Ave. S., Seattle, WA 98108, by Kleinfelder, Project # 15435.003, March 27, 2003;
8. Groundwater Monitoring Report 2nd Quarter 2002, Parcels A and B, Georgetown Center, Corson Ave. S., Seattle, WA 98108, by Kleinfelder, Project # 15435.004, July 9, 2002;
9. Groundwater Monitoring Report 3rd Quarter 2002, Parcels A and B, Georgetown Center, Corson Ave. S., Seattle, WA 98108, by Kleinfelder, Project # 15435.004, October 14, 2002;
10. Groundwater Monitoring Report 4th Quarter 2002, Parcels A and B, Georgetown Center, Corson Ave. S., Seattle, WA 98108, by Kleinfelder, Project # 15435.004, January 8, 2003;
11. Groundwater Monitoring Report 1st Quarter 2003, Parcels A and B, Georgetown Center, Corson Ave. S., Seattle, WA 98108, by Kleinfelder, Project # 15435.004, January 8, 2003;
12. 2003 Restrictive Covenant;
13. Ecology, 2010 Site Visit.
14. Ecology, 2015 Site Visit.

6.0 APPENDICES

6.1 Vicinity Map



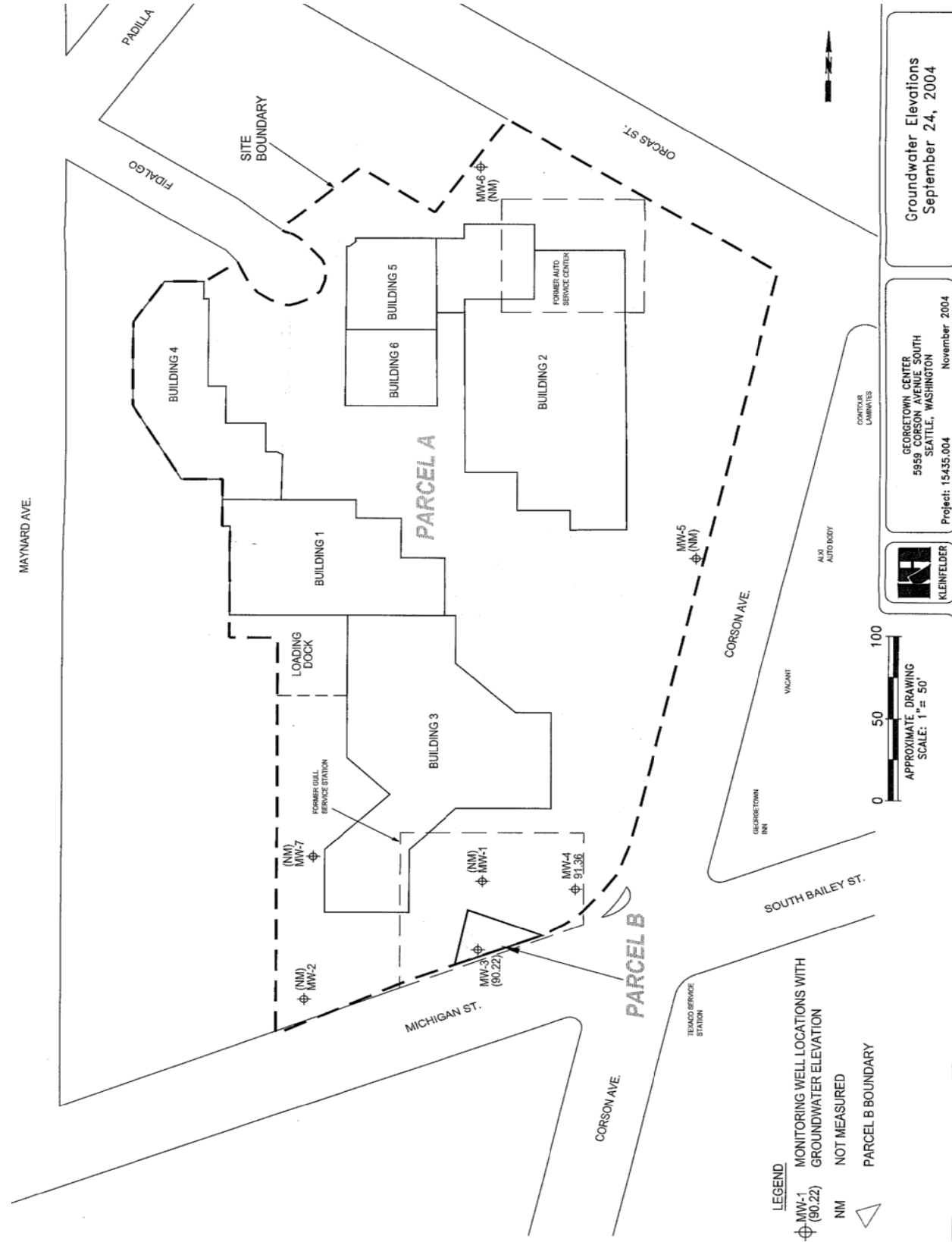
Reference: DeLorme Street Atlas USA, Version 4.0



Site Vicinity Map
GEORGETOWN CENTER
5959 CORSON AVENUE SOUTH
SEATTLE WASHINGTON

FIGURE
1

6.2 Site Plan



6.4 Environmental Covenant

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

Greene Radovsky Maloney & Share LLP
Four Embarcadero Center, Suite 4000
San Francisco, California 94111-4106
Attn: Thomas L. Prestwich, Esq.



20030221001654

CHICAGO TITLE COV 24.00
PAGE 001 OF 006
02/21/2003 12:20
KING COUNTY, WA

WITH A COPY TO:

Orrick, Herrington & Sutcliffe LLP
400 Sansome Street
San Francisco, California 94111
Attn: Michael H. Liever, Esq.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

RESTRICTIVE COVENANT

GEORGETOWN CENTER
5959 – 5963 Corson Avenue South
Seattle, Washington 98108

6995
CHICAGO TITLE INS. CO.
REF # 105-50213-6

This Declaration of Restrictive Covenant is made pursuant to RCW 70.105D.030(1)(f and g), and WAC 173-340-440 by and between CalWest Industrial Properties, LLC, its successors and assigns, and the Washington State Department of Ecology, its successors and assigns.

Legal Description: See Exhibit A attached hereto, being a portion of the property commonly known as Georgetown Center, 5959-5963 Corson Avenue South, Seattle, Washington.

CHICAGO TITLE INSURANCE COMPANY
has placed the document of
record as a customer courtesy
and accepts no liability for
the accuracy or validity of
the document

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RESTRICTIVE COVENANT

GEORGETOWN CENTER
5959-5963 Corson Avenue South
Seattle, Washington 98108

This Declaration of Restrictive Covenant is made pursuant to RCW 70.105D.030(1)(f) and (g) and WAC 173-340-440 by CalWest Industrial Properties, LLC ("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. Work Plan Shallow Groundwater Characterization, Georgetown Center, Corson Ave. S. and S. Michigan Street, Seattle, WA 98108 by Kleinfelder, Inc. Project # 60-2201-01 of July 30, 2001.
2. Preliminary Subsurface Investigation, Georgetown Center, Corson Ave. S. and S. Michigan Street, Seattle, WA 98108 by ATC Associates INC. Project # 87676.2902 TASK 2 of December 15, 1999.
3. Phase I Environmental Site Assessment, Georgetown Center, Corson Ave. S. and S. Michigan Street, Seattle, WA 98108 by ATC Associates INC. Project # 87676.2901 TASK 2 of December 15, 1999.
4. Phase I Environmental Site Assessment, Georgetown Center, Corson Ave. S. and S. Michigan Street, Seattle, WA 98108 by Geo Engineers. Project # 1192-165-00-1150/063099 of June 30, 1999.
5. Phase I Environmental Site Assessment, Georgetown Center, Corson Ave. S. and S. Michigan Street, Seattle, WA 98108 by Geo Engineers. Project # 1192-092-R01/071393 of July 13, 1993.
6. Soil and Groundwater Assessment Report, Georgetown Center, Corson Ave. S. Seattle, WA 98108 by KLEINFELDER project no. 60-2201-01 of November 1, 2001.

This Restrictive Covenant is required because the Remedial Action resulted leaving residual TPH soil concentrations in the Property (hereafter defined) which exceed the Model Toxics Control Act Method A Cleanup Levels for soils established under WAC 173-340-740

The undersigned, CalWest Industrial Properties, LLC, 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 legally described as follows: See Exhibit A attached hereto.

CalWest Industrial Properties, LLC 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 Property, 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 TPH-gasoline in the soil which exceed the Model Toxics Control Act Method A Cleanup Levels at the southern location of the site as shown in Figure 3 (enclosed). The Owner shall not alter, modify or remove the existing structures nor conduct any other activity on the Property that may result in the release or exposure to the environment of the residual TPH contaminated soil or groundwater that was contained on the site, or create a new exposure pathway without prior written approval from Ecology. Some examples of activities that are prohibited without prior written approval from Ecology include: drilling, digging, 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 or spike or similar item, bulldozing or earthwork.

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

Section 3. 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 4. Any activity on the Property that may result in the release or exposure to the environment of the hazardous substances described in Section 1 above that remain on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Section 5. The Owner of the Property must give thirty (30) day advance 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. The Owner conveying any interest in the Property shall notify Ecology of the name, mailing address and telephone number of the person or persons who acquired title, easement, lease or other interest in the Property within fifteen (15) days of the transaction.

Section 6. The Owner must restrict leases affecting the Property to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restrictions.

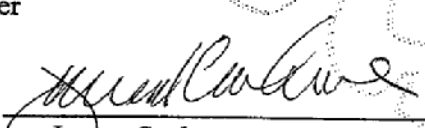
Section 7. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant. Ecology may approve any inconsistent use only after public notice and comment.

Section 8. 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 the Remedial Action.

Section 9. 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.

CALWEST INDUSTRIAL PROPERTIES, LLC,
a California limited liability company

By: RREEF America L.L.C.,
a Delaware limited liability company
Its: Manager

By: 
Name: James Carbone
Its: Authorized Representative

Date: January 23, 2003

STATE OF California)

COUNTY OF SAN FRANCISCO

On January 23, 2003, before me, Debbie Choy Wayne,
a Notary Public for the State of California, personally appeared
James N. Cantone, personally known to
me (or proved to me on the basis of satisfactory evidence) to the person(s) whose name(s) is/are
subscribed to the within instrument, and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Debbie Choy Wayne
(Signature)

(SEAL)

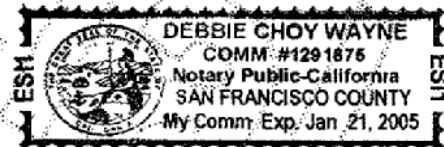


EXHIBIT A
To Restrictive Covenant

All that certain real property located in King County, Washington, described as follows:

Commencing at the intersection of the centerlines of South Michigan Street and Maynard Avenue in the City of Seattle, King County, Washington; thence North $68^{\circ}33'00''$ East along the centerline of South Michigan Street, a distance of 1064.18 feet; thence North $21^{\circ}27'00''$ West 48.00 feet to the Northwesterly margin of South Michigan Street and the point of beginning; thence North $68^{\circ}33'00''$ East along said margin, a distance of 82.72 feet to a point of curvature of a curve concave Northwesterly, said curve having a radius of 150.03 feet; thence Northeasterly along the arc of said curve, through a central angle of $9^{\circ}40'39''$, a distance of 25.34 feet; thence North $70^{\circ}04'31''$ West 74.59 feet; thence South $25^{\circ}50'36''$ West 73.12 feet to the point of beginning.

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6.5 Photo log

Photo 1: Former Gull gas station location in foreground – looking northwest



Photo 2: Former Gull gas station location in the left of picture - from the east



Photo 3: One of the many signs on the property



Photo 4: S. Fidalgo addresses, Building 4 in the distance

