



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

Electronic Copy

March 28, 2017

Mr. Ken Groat
PO Box 1630
Woodland, WA 98674

Re: Termination & Release of Restrictive Covenant

- **Site Name:** Groat Brothers, Inc.
- **Site Address:** 618 and 608 West Scott Avenue, Woodland, Washington
- **Facility/Site ID No.:** 36354352

Dear Mr. Groat:

Please find enclosed a final signed original of the Termination & Release of Restrictive Covenant (covenant release) for the Groat Brothers, Inc. Site. I appreciate your patience and cooperation through this process.

The covenant release now needs to be recorded with Cowlitz County. Once you have the covenant release recorded, return the original covenant release to Ecology (or a clean legible copy if the County retains the original). You will also be required to send a copy of the recorded covenant release to each of the persons listed:

- Each person currently holding a recorded interest in the real property subject to the Covenant,
- Each person currently in possession of the real property subject to the Covenant (such as renters),
- The local government with land use planning authority of the Site.

Mr. Ken Groat
March 28, 2017
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If you have any questions, please contact me at (360) 407-6335 or e-mail me at panjini.balaraju@ecy.wa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Panjini Balaraju". The signature is written in a cursive style with a large initial "P".

Panjini Balaraju
Toxics Cleanup Program
Southwest Regional Office

By Certified Mail: [91 7199 9991 7037 0221 7874]

cc: Central Files

After Recording Return to:

Washington State Department of Ecology
Toxics Cleanup Program/SWRO
Attention: Panjini Balaraju
300 Desmond Drive SE
Lacey, WA 98504-7775

TERMINATION & RELEASE OF RESTRICTIVE COVENANT

Grantor: State of Washington, Department of Ecology
Grantee: Lloyd L. Groat, Netta Groat and The Groat Living Trust
Legal: Parcel A: T5N, R1W, S13m
Tax Parcel Nos.: Portions of 50603 and 50606.
Cross-Reference: Groat Brothers, Inc. 618 and 608 West Scott Avenue, Woodland, Washington.
Original Restrictive Covenant No. 3219641 recorded in Cowlitz County on
03/31/2004; No Further Action Letter dated May 25, 2016.

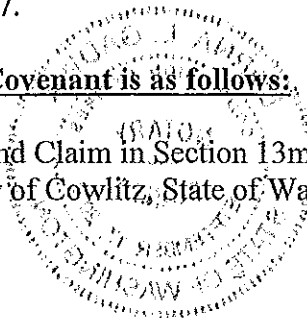
Pursuant to the Model Toxics Control Act, Chapter 70.105D RCW (MTCA), the Uniform Environmental Covenants Act, RCW 64.70.100, and WAC 173-340-440, the State of Washington, Department of Ecology (Ecology) has determined, after public notice and comment, that the Environmental Covenant filed of record in Cowlitz County under Auditor File Number 3219641 on May 31, 2004 between Lloyd L. Groat, Netta Groat and The Groat Living Trust as Grantor and Ecology as Grantee (Covenant) over the property legally described below is no longer necessary under MTCA and its implementing regulations, Chapter 173-340 WAC in order to protect human health and the environment. Ecology hereby consents to termination of the Covenant and relinquishes and quitclaims to Lloyd L. Groat, Netta Groat and The Groat Living Trust any and all rights it may have that were created by the Covenant.

This document is not a settlement under MTCA. Ecology's signature below does not constitute a covenant not to sue or a compromise of Ecology's authority or rights other than those rights created by the Covenant itself.

Dated this 27 day of March, 2017.

The legal description of the property subject to the Covenant is as follows:

That portion of the Squire and Milly Bozarth Land Claim in Section 13m Township 5 North, Range 1 West of the W.M., in the County of Cowlitz, State of Washington, described as follows:



Beginning at the Southwest corner of a 15-acre conveyed by S. J. Bozarth L. Gates as described in Volume 26 of Deeds, page 318, records of Cowlitz County, thence South 87° 33' 00" East along said South line 417.36 feet to an iron rod at the intersection of said South line with the Westerly right of way line of State Highway No. 1; then South 19° 49' 10" East along said right of way a distance of 41.94 feet to an iron rod at station 905+94.65; thence South 30° 51' 30" West along said right of way 87.97 feet to an iron rod at the intersection of the Northwesterly line of Scott Avenue; thence along said Northwesterly line the following courses: South 51° 13' 50" West 468.44; thence on the arc of a 477.46 foot radius curve 156.28 feet; thence South 33° 13' 50" West 116.28 feet; thence on the arc of a 218.73 foot radius curve 27.17 feet to an intersection with the West line of the Squire and Milly Bozarth Donation Land Claim; thence North 11° East along said West line 680.5 feet, more or less, to the point of beginning.

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

by: Rebecca S. Lawson
Rebecca S. Lawson, P.E., LHG

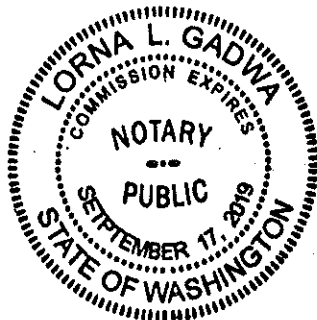
Title: Section Supervisor
Toxics Cleanup Program
Southwest Regional Office

STATE ACKNOWLEDGMENT

STATE OF WASHINGTON

COUNTY OF Thurston

On this 27th day of March, 2017, I certify that Rebecca S. Lawson personally appeared before me, acknowledged that he/she is the Section manager for TCP Program of the state agency that executed the within and foregoing instrument, and signed said instrument by free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument for said corporation.



Lorna L. Gadwa
Notary Public in and for the State of
Lorna L. Gadwa
Washington, residing at Olympia.
My appointment expires 9-17-19.

CONSENT TO TERMINATION & RELEASE OF COVENANT

The undersigned Donald L. Groat hereby consents to the release and termination of the above-described Environmental Covenant.

Donald L. Groat
Name: Donald L. Groat

Title: Trustee, The Groat Living Trust

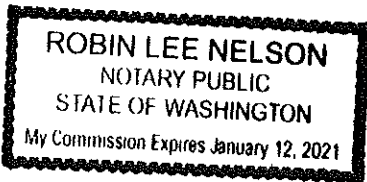
Dated: 3/21/17

REPRESENTATIVE ACKNOWLEDGEMENT

STATE OF WASHINGTON

COUNTY OF Clark

On this 21 day of March, 2017, I certify that Donald L. Groat personally appeared before me, acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute this instrument, and acknowledged it as the TRUSTEE [type of authority] of GROAT LIVING TRUST [name of party being represented] to be the free and voluntary act and deed of such party for the uses and purposes mentioned in the instrument.



[Signature]
Notary Public in and for the State of

Washington, residing at Columbia Bank

My appointment expires 1/12/2021

The undersigned Lloyd L. Groat hereby consents to the release and termination of the above-described Environmental Covenant.

Lloyd L. Groat
Lloyd L. Groat
Title: Property Owner

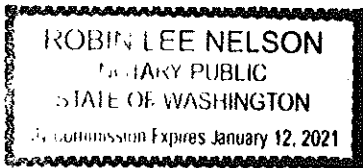
Dated: 3/21/17

INDIVIDUAL ACKNOWLEDGMENT

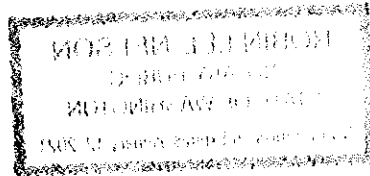
STATE OF WASHINGTON

COUNTY OF Clark

On this 21 day of March, 2017, I certify that Lloyd L. Groat personally appeared before me, and acknowledged that he/she is the individual described herein and who executed the within and foregoing instrument and signed the same at his/her free and voluntary act and deed for the uses and purposes therein mentioned.



[Signature]
Notary Public in and for the State of Wash
Washington, residing at Columbia Park
My appointment expires 1/12/21.



The undersigned Netta Groat hereby consents to the release and termination of the above-described Environmental Covenant.

Netta Groat
Netta Groat
Title: Property Owner

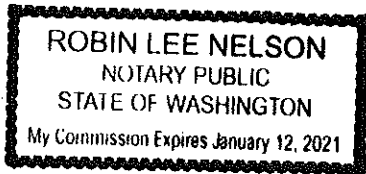
Dated: 3/21/2017

INDIVIDUAL ACKNOWLEDGMENT

STATE OF WASHINGTON

COUNTY OF Clark

On this 21 day of March, 2017, I certify that Netta Groat personally appeared before me, and acknowledged that he/she is the individual described herein and who executed the within and foregoing instrument and signed the same at his/her free and voluntary act and deed for the uses and purposes therein mentioned.



Robin Lee Nelson
Notary Public in and for the State of

Washington, residing at Columbia Park

My appointment expires 1/12/2021

FOR THE UNIVERSITY
OF CALIFORNIA
LIBRARY
1000 UNIVERSITY AVENUE
LOS ANGELES, CALIF. 90024