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AUDITOR, Pierce County, WASHINGTON

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: Madison Shores Marina, LLC
Legal: T21N, R2E, S8; See Detailed Legal Description Below
Tax Parcel Number: 0221081187
Cross-Reference: Stutz Oil, 3003 Harborview Drive, Gig Harbor, Washington 98335.
Original Restrictive Covenant No. 200910260274 recorded in Pierce County
on 10/26/2009; No Further Action Letters dated November 2, 2017 and
November 12, 2009.

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 Pierce County under Auditor File Number 200910260274 on October 26, 2009 between Madison Shores Marina, LLC 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 the City of Gig Harbor (the current Property Owner) 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.

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

Real property in the County of Pierce, State of Washington, described as follows:

Commencing at the Southeast corner of the Northeast quarter of the Northeast quarter of the Northwest quarter of Section 8, Township 21 North, Range 2 East, W.M. in Pierce County, Washington;

thence North 00° 21' West a distance of 137.8 feet to a point;
thence North 89° 25' West a distance of 37.08 feet to the true point of beginning;
thence North 37° 34' East a distance of 96.05 feet to a point;
thence North 58° 45' East a distance of 50.23 feet to a point on the Government Meander Line;
thence North 58° 00' West a distance of 81.20 feet to a point;
thence South 32° 00' West a distance of 170.2 feet to a point;
thence South 89° 25' East a distance of 57.50 feet to the true point of beginning.
Together with second class tidelands, as conveyed by the State of Washington, adjoining and abutting thereon.

Dated this 27 day of February, 2017.

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

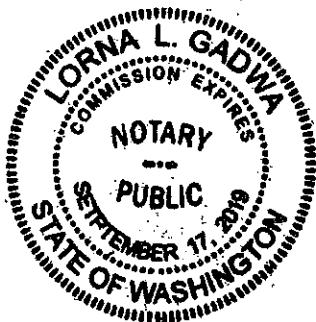
COUNTY OF Thurston

On this 23rd day of May, 2018 I certify that Rebecca S. Lawson personally appeared before me, acknowledged that he/she is the Toxics Cleanup Section Manager 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. Gadhwa
Notary Public in and for the State of

Washington, residing at Olympia

My appointment expires 9/17/2019



CONSENT TO TERMINATION & RELEASE OF COVENANT

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

Kit Kuhn
Name: Kit Kuhn

Title: Mayor
City of Gig Harbor

Dated: 2-27-18

REPRESENTATIVE ACKNOWLEDGEMENT

STATE OF WASHINGTON

COUNTY OF PIERCE

On this 27th day of February, 2018, I certify that Kit Kuhn 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 Mayor [type of authority] of GIG HARBOR [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.

Molly M Towslee
Notary Public in and for the State of

Washington, residing at Gig Harbor

My appointment expires 12/2/19

