

**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

In the Matter of Remedial Action by:

Touchstone SLU LLC; and
TB TS/REL P LLC

Troy Laundry Site
Seattle, Washington

SECOND AMENDMENT OF
AGREED ORDER

No. DE 8996

STATEMENT OF CURRENT CONDITIONS

On March 28, 2013, Touchstone SLU LLC, a Washington limited liability company (Touchstone SLU), and US RELP TB, LLC, a Delaware limited liability company (REL P), formed TB TS/REL P LLC, a Washington limited liability company (TB TS/REL P). Touchstone SLU transferred ownership of the property located at 307 Fairview Avenue North Seattle, Washington, known as the Troy Laundry Site (Property), to TB TS/REL P. Touchstone and REL P are the sole members of TB TS/REL P, with REL P as the Manager of TB TS/REL P.

Touchstone notified Ecology on or about February 18, 2015 of the transfer of interest of the Property in accordance with Section VIII.O of Agreed Order No. 8996 (AO).

SECOND AMENDMENT

The Parties hereby agree to a second modification of the AO as detailed below. All other sections of the AO shall remain unchanged except that in all places where the AO reads "Touchstone," the AO is amended to read "Touchstone and TB TS/REL P."

- A. TB TS/REL P is hereby made a party to and is bound by Agreed Order DE 8996.
- B. Touchstone SLU remains a PLP for the Troy Laundry Site and subject to all terms and conditions of the AO.

C. Ecology has concluded that the addition of TB TS/REL P as a party to the AO is necessary and appropriate, but is not a substantial change.

D. Section V.A is modified to read as follows: "TB TS/REL P is the current owner of the real property located at 307 Fairview Avenue North in Seattle, Washington (hereinafter Property), and is in the process of redeveloping the Property. Touchstone SLU is the prior owner of the Property and is involved in the process of redeveloping the Property."

E. Section VI.A is modified as read as follows: "Touchstone SLU and TB TS/REL P are "owners or operators" as defined in RCW 70.105D.020(22) of a "facility" as defined in RCW 70.105D.020(8)."

F. Section VI.C is modified to include the following additional sentence: "Based upon the March 28, 2013 transfer of property from Touchstone to TB TS/REL P, Ecology issued a PLP status letter to TB TS/REL P on or about March 10, 2015, pursuant to RCW 70.105D.040, .020(26) and WAC 173-340-500."

G. Section VIII.D is hereby amended to identify the following individual as the project coordinator for Ecology:

Maura O'Brien
Toxics Cleanup Program
3190 160th Ave SE
Bellevue, WA 98008
(425) 649-7249
E-mail: Maura.obrien@ecy.wa.gov

H. Except as provided in this Second Amendment, all provisions of the AO, including the provisions in the First Amendment to the AO, remain unmodified and in effect.

I. This Second Amendment shall be effective on the date it is signed by the authorized representative of the Department of Ecology.

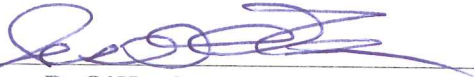
\\

\\

\\

\\

TOUCHSTONE SLU LLC,
a Washington limited liability company



James D. O'Hanlon
Manager
Seattle, WA
206-727-2393

Date: 3/12/15

STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY



Robert W. Warren, P.Hg., MBA
Section Manager
Toxics Cleanup Program
Northwest Regional Office
425-649-7054

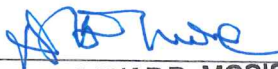
Date: 3-13-15

TB TS/RELP LLC,
a Washington limited liability company

By: US RELP TB, LLC,
a Delaware limited liability company
Its Manager

By: US Real Estate Limited Partnership,
a Texas limited partnership,
Its Sole Member

By: USAA Real Estate Company,
a Delaware corporation,
Its General Partner



Name: DIRK P.D. MOSIS III
Title: Executive Managing Director
Phone: 210-641-8413
Date: 3/11/15