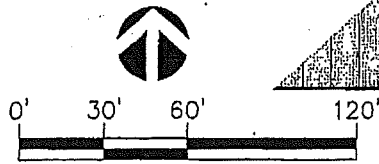


**Enclosure A**

**Description and Diagram of the Site**



SCALE: 1" = 60'

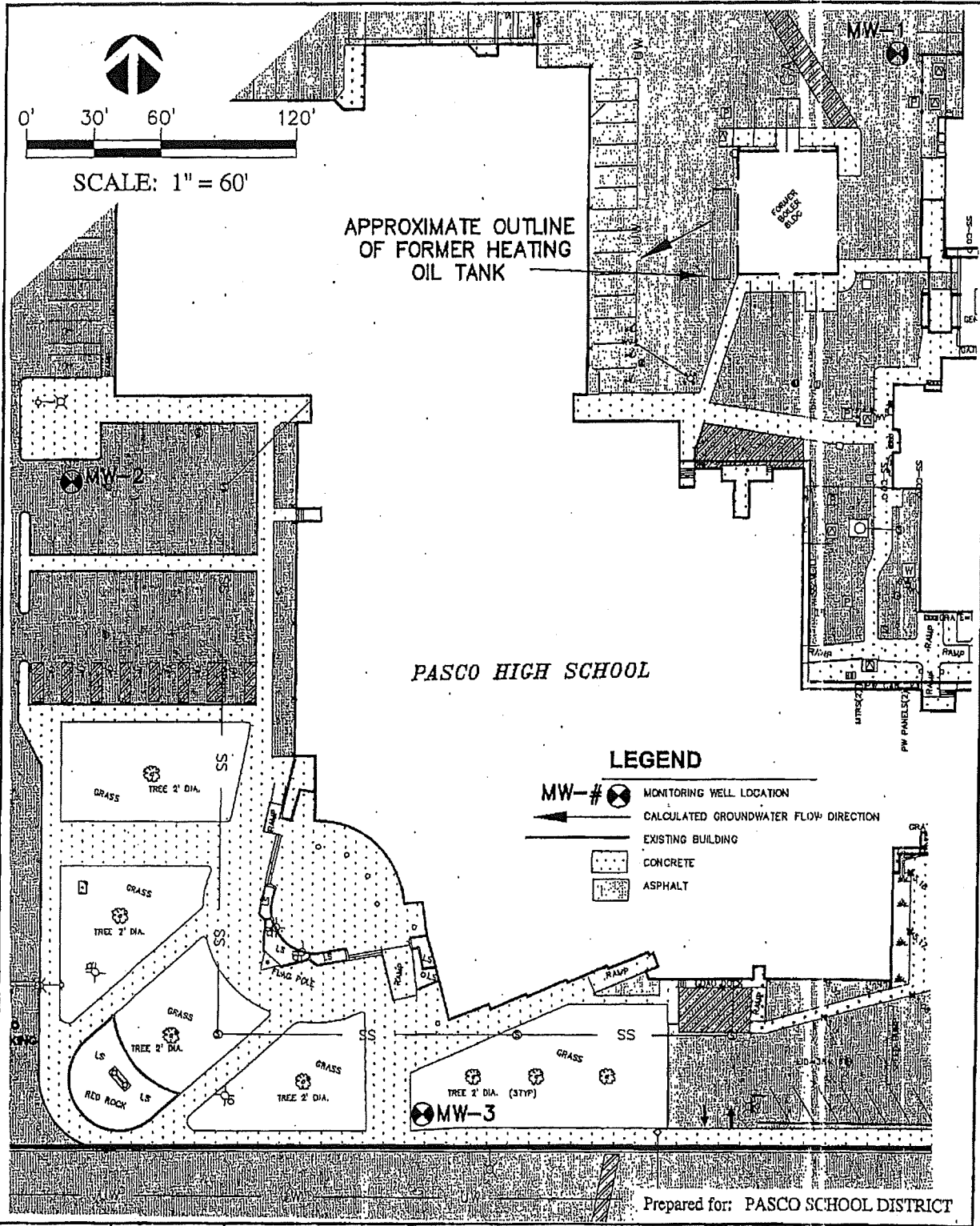
APPROXIMATE OUTLINE  
OF FORMER HEATING  
OIL TANK

PASCO HIGH SCHOOL

**LEGEND**

- MW-# MONITORING WELL LOCATION
- CALCULATED GROUNDWATER FLOW DIRECTION
- EXISTING BUILDING
- CONCRETE
- ASPHALT

9/11/07 12:35 P:\Projects\61355\61355\_002\_Monitoring\_wells\Final\_well\_locations.dwg



Prepared for: PASCO SCHOOL DISTRICT

	Project #: 61355.002
	Date: SEPT. 2007

**MONITORING WELL LOCATIONS**  
PASCO HIGH SCHOOL  
PASCO, WASHINGTON

**Enclosure B**

**Environmental Covenants  
for Institutional Controls**

RECEIVED

SEP 15 2008

CONSTRUCTION PROJECTS

## Model Restrictive (Environmental) Covenant

**After Recording Return to:**

**Patti Carter**

**Department of Ecology**

**4601 N. Monroe Street**

**Spokane, WA 99205**

Zona G. Lenhart, Auditor, Franklin County, WA.  
AFN # 1724674 Recorded 09/16/2008 at 10:51 AM  
DocType: COV 5 Page(s) Filing Instrument \$46.00  
Recorded at the request of: PASCO SCHOOL  
DISTRICT

### Environmental Covenant

**Grantor:** Pasco School District No. 1

**Grantee:** State of Washington, Department of Ecology

**Legal:** NE ¼, Section 30, Township 9 North, Range 30 East, Franklin County,  
Washington.

**Tax Parcel Nos.:** 112-140-013

**Cross Reference:** N/A

Grantor, Pasco School District No. 1, hereby binds Grantor, its successors and assigns to the land use restrictions identified herein and grants such other rights under this environmental covenant (hereafter "Covenant") made this 26<sup>th</sup> day of August, 2008 in favor of the State of Washington Department of Ecology (Ecology). Ecology shall have full right of enforcement of the rights conveyed under this Covenant pursuant to the Model Toxics Control Act, RCW 70.105D.030(1)(g), and the Uniform Environmental Covenants Act, 2007 Wash. Laws ch. 104, sec. 12.

This Declaration of Covenant is made pursuant to RCW 70.105D.030(1)(f) and (g) and WAC 173-340-440 by Pasco School District No. 1, its successors and assigns, and the State of Washington Department of Ecology, its successors and assigns (hereafter "Ecology").

A remedial action (hereafter "Remedial Action") occurred at the property that is the subject of this Covenant. The Remedial Action conducted at the property is described in the following documents:

1. Underground Storage Tank Decommissioning / Site Assessment, 1108 N. 10<sup>th</sup> Avenue, Pasco, Washington: PBS Engineering and Environmental, August 2006.
2. Limited Remedial Investigation (RI), Pasco High School, 1108 N. 10<sup>th</sup> Avenue, Pasco, Washington: PBS Engineering and Environmental, January 2007.
3. May 2007 Groundwater Monitoring Report, Pasco High School, Pasco, Washington: PBS Engineering and Environmental, May 29, 2007.
4. September 2007 Groundwater Monitoring Report, Pasco High School, Pasco, Washington: PBS Engineering and Environmental, September 12, 2007.
5. December 2007 Groundwater Monitoring Report, Pasco High School, Pasco, Washington: PBS Engineering and Environmental, January 22, 2008.
6. March 2008 Groundwater Monitoring Report and Discussion of all Four Quarterly Groundwater Monitoring Results, Pasco High School, Pasco, Washington: PBS Engineering and Environmental, April 29, 2008.

These documents are on file at Ecology's Eastern Regional Office.

This Covenant is required because the Remedial Action resulted in residual concentrations of Petroleum Hydrocarbons which exceed the Model Toxics Control Act Method A Cleanup Levels for SOIL established under WAC 173-340-740.

The undersigned, Pasco School District, No. 1, is the fee owner of real property (hereafter "Property") in the County of Franklin, State of Washington, that is subject to this Covenant. The Property is legally described as: NE ¼, Section 30, Township 9 North, Range 30 East, Franklin County, Washington.

Pasco School District No. 1 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. A portion of the Property contains Petroleum Hydrocarbon contaminated soil located between the existing G wing Activity Center and the existing A wing Vocational Shop Center. The entire area is beneath the newly constructed (2008) student mall/cafeteria, known as H wing. The Owner shall not alter, modify, or remove the existing structure in any manner that may result in the release or exposure to the environment of that contaminated soil or create a new exposure pathway without prior written approval from 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. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

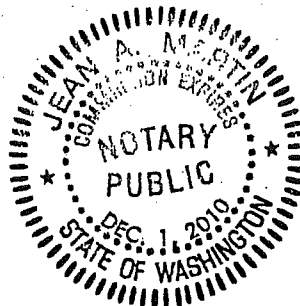
Section 4. The Owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

Section 5. The Owner must restrict leases to uses and activities consistent with the Covenant and notify all lessees of the restrictions on the use of the Property.

Section 6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Covenant. Ecology may approve any inconsistent use only after public notice and comment.

Section 7. 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, to determine compliance with this Covenant, and to inspect records that are related to the Remedial Action.

Section 8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this 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.



STATE OF Washington  
COUNTY OF Franklin

On this 26 day of August, 2008, I certify that William V. Leggett & Sondra Hill personally appeared before me, acknowledged that he/she is the Board President & Superintendent of the corporation that executed the within and foregoing instrument, and signed said instrument by free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument for said corporation.

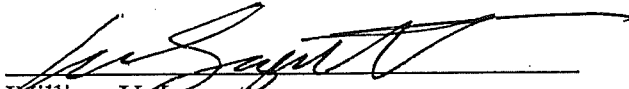
Jean A. Martin  
Notary Public in and for the State of  
Washington, residing at  
Franklin Co.  
My appointment  
expires 12/1/2010

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I certify that \_\_\_\_\_ personally appeared before me, acknowledged that he/she is the \_\_\_\_\_ of the corporation that executed the within and foregoing instrument, and signed said instrument by free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument for said corporation.

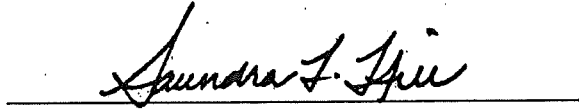
\_\_\_\_\_  
Notary Public in and for the State of  
Washington, residing at  
\_\_\_\_\_  
My appointment  
expires \_\_\_\_\_

PASCO SCHOOL DISTRICT NO. 1

  
\_\_\_\_\_  
William V. Leggett  
School Board President

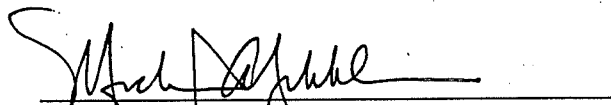
Dated: 8.24.2008

PASCO SCHOOL DISTRICT NO. 1

  
\_\_\_\_\_  
Sandra L. Hill  
Superintendent

Dated: 8-26-08

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

  
\_\_\_\_\_  
Michael A. Hibbler  
Section Manager, Toxics Cleanup Program

Dated: 9/8/08