

Praxair, Inc  
(As Successor in interest to  
Liquid Carbonic Industries Corporation)  
39 Old Ridgebury Road  
Danbury, CT 06810



AMENDMENT TO RESTRICTIVE COVENANT  
DATED MAY 8, 1997 BY PRAXAIR, INC

5/12  
FILED BY PNWT

411655-4

This Declaration of Restrictive Covenant is made pursuant to RCW 70 105D 030(1)(f and g), and WAC 173-340-440 by Liquid Carbonic Industries Corporation, its successors and assigns, and the Washington State Department of Ecology, its successors and assigns

**Legal Description** Lots 4, 5, 6 and 7, Block 21, Industrial Addition, Southeast Quarter of Northeast Quarter Section 9, Township 24 North, Range 4 East, situated in City of Seattle, King County, State of Washington

**Tax Parcel I.D. #** 357320092004

2000 102 3000241

October 3, 2000

AMENDMENT TO RESTRICTIVE COVENANT  
DATED MAY 8, 1997 BY PRAXAIR, INC ,  
AS SUCCESSOR IN INTEREST TO LIQUID  
CARBONIC CARBON DIOXIDE CORPORATION AND  
LIQUID CARBONIC INDUSTRIES CORPORATION

Liquid Carbonic Industries Corporation Property  
5021 Colorado Avenue South, Seattle, Washington


For and in consideration of the sum of \$10 00, and other good and valuable consideration, and based upon the authority granted by documents dated August 7, 2000, and September 28, 2000 issued by Daniel R Cargill, Toxic Cleanup Program, State of Washington Department of Ecology, Section 8 of the Restrictive Covenant dated May 8, 1997 referenced above, is hereby deleted in its entirety That now-deleted Section 8 provided as follows

Section 8 The site owner may request that Ecology conduct an annual review for trend analysis of the TPH and Metals if one year of quarterly groundwater test results indicate that TPH concentrations do not exceed site-specific cleanup levels of 1 0 ppm gasoline, 10 0 ppm diesel and 15 0 ppm heavy oil nor that PAH and Metals exceed the site cleanup levels stated in Chapter 173-201A WAC (Water Quality Standards for Surface Waters of the State of Washington) and the Federal Register, 40 CFR Part 131, Water Quality Standards In the event that this review establishes a decreasing trend of these analytes, the owner may request of Ecology a reduced frequency of groundwater monitoring from quarterly to semi-annually, and/or a reduced number of analytes or number of wells sampled If two consecutive years of groundwater sampling show non-detect for the previous analytes, the owner may petition Ecology to cease groundwater monitoring Failure to conduct necessary monitoring and maintenance may result in Ecology's withdrawal of this no further action determination

In addition, Section 4 of the Restrictive Covenant dated May 8, 1997 referenced above is also deleted in its entirety, but is replaced by the following

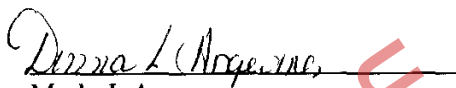
Section 4 The Owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision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

2000 102 3000241

  
David E Angevine

PRAXAIR, INC

As successor in interest to  
Liquid Carbonic Carbon  
Dioxide Corporation and  
Liquid Carbonic Industries  
Corporation

  
Merle J Angevine  
Power of Attorney for  
Merle J Angevine

By   
Director, Corporate Real Estate

Unofficial Copy

2009 102 3000241

STATE OF CONNECTICUT     )  
  ) ss  
COUNTY OF FAIRFIELD     )

I certify that I know or have satisfactory evidence that EDWARD R DURKIN is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Director, Corporate Real Estate of Praxair, Inc , to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument

Dated 10/5/00

Claudia Hamel  
Notary Public

Claudia Hamel  
Notary Public

State of CT  
My appointment expires  
My Commission Expires March 31, 2002



2000 102 3000241

Unofficial Copy

STATE OF WASHINGTON     )  
   )ss  
 COUNTY OF KING            )

I certify that I know or have satisfactory evidence that David E Angevine is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument

Dated

October 3, 2000

U. Reno

Notary Public in and for the State of  
 Washington,

residing at Seattle

My appointment expires 11-2-00

STATE OF WASHINGTON     )  
   )ss  
 COUNTY OF KING            )

I certify that I know or have satisfactory evidence that Donna L Angevine is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the attorney in fact under the Power of Attorney dated September 18, 2000 of Merle J Angevine to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument

Dated

October 3, 2000

U. Reno

Notary Public in and for the State of  
 Washington,

residing at Seattle

My appointment expires 11-2-00

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