

**SITE MANAGEMENT PLAN – REVISED DRAFT  
FORMER LYNRUS ALUMINUM (LR DYNAMICS)  
204-232 WEST 1700 SOUTH, AND 205 WEST HARRIS AVENUE  
SALT LAKE CITY, UTAH**

**March 16, 2022**

**Prepared for:**

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## 1.0 INTRODUCTION

This Site Management Plan was prepared by Atlas (ATC Group Services, LLC - ATC) for 1700 South Holdings, LP and the Utah Department of Environmental Quality (UDEQ), Division of Waste Management and Radiation Control (DWMRQ) (collectively, the "Agency"). The purpose of the plan is to direct the management of contaminated ground water beneath the Property located at 204-232 West 1700 South, and 205 West Harris Avenue in Salt Lake City, Utah (Figure 1). This Site Management Plan (SMP) has been prepared at the request of the Agency.

This SMP has been prepared in accordance with the requirements of R315-101 "Cleanup Action and Risk-Based Closure Standards" that establishes information requirements to support risk-based cleanup and closure standards at facilities for which remediation or removal of hazardous constituents to background levels is not expected to be achieved. Except as set forth in the Environmental Covenant (EC), which upon approval by the Agency, will be recorded with the Salt Lake County Record's office, the Property Owner and the EC "Holder" (as defined in the EC) shall comply with the SMP. Provisions of the SMP relating to land use limitations; however, shall be responsibility of the "Owner" (as defined in the EC) of the Property.

### 1.1 Site Description

The Property is an irregular shaped piece of land located between 200 West and 300 West, on the north side of West 1700 South in Salt Lake County, Salt Lake City, Utah 84115. The Property's addresses are 204-232 West 1700 South, and 205 West Harris Avenue. According to information obtained from the Salt Lake County Tax Assessors website, the Property consists of three parcels of developed land approximately 3.06 acres in size (Parcel Number: 15-13-257-021). The legal description is included in Appendix A. In May 2021 all of the buildings associated with the prior operations at the Property were demolished and the surface covering, primarily asphalt and concrete, was removed. The current Property Owner intends to develop the Property with a residential apartment complex. A Site Vicinity Map, a Parcel Map, and a Site Map are presented as Figures 1, 2, and 3, respectively.

### 1.2 Background

ATC reviewed prior subsurface investigative reports associated with identified *Recognized Environmental Conditions* discovered at the Property during due diligence efforts. The results of several previous subsurface investigations have indicated the presence of petroleum and chlorinated solvent impacts to soil, groundwater, and soil gas at the Property. Depth to groundwater at the Property varies from approximately 10 to 12 feet. The results of these investigations also indicate the presence of one petroleum source area located on the southeastern portion of the Property and one chlorinated minor source area located near the southwestern area of the Property. However, the chlorinated impacts to soil and groundwater in this area are below the applicable United States Environmental Protection Agency (U.S. EPA) Regional Screening Levels (RSLs) for Residential Soil and U.S. EPA Maximum Contaminant Levels (MCLs). Soil gas is the only media in the chlorinated solvent impact area that exceeds applicable U.S. EPA screening levels. The results of the subsurface investigations in the area of the former petroleum bulk Aboveground Storage Tanks (AST) indicate the soil at the Facility has been impacted at concentrations above the applicable U.S. EPA RSL for Residential and Industrial Soil for naphthalene, 1-methylnaphthalene, and 2-methylenaphthalene. The results of the subsurface investigations indicate that groundwater at the Property has been impacted at

concentrations above the U.S. EPA MCL for benzene. Additionally, benzo(a)pyrene was detected in two groundwater samples above the applicable U.S. EPA MCL. Given the relatively low concentrations of benzo(a)pyrene exhibited by these samples and that the samples were collected as a turbid grab samples, it is likely that the true dissolved phase concentration of benzo(a)pyrene is below the applicable U.S. EPA MCL.

In March 2020, Wasatch Environmental (Wasatch) prepared a Corrective Action Plan (CAP) on behalf of the former Property owner, LR Dynamics, and submitted it to the Agency, for review. The CAP was intended to address residual petroleum and chlorinated solvent impacts to soil and groundwater in the area of the former petroleum Aboveground Storage Tank (AST) area. To address residual soil impacts at the Property, Wasatch proposed removing all of petroleum impacted soil above U.S. EPA Residential RSLs in the direct vicinity of the former AST area. To address residual groundwater impacts beneath the Property Wasatch recommended the installation of vapor/chemical barriers beneath all of the new residential structures and that residual impacts be managed under a SMP and EC. On April 17, 2020, the Agency issued a correspondence approving the soil removal CAP.

On May 17, 2021, the impacted soil removal effort began under the supervision of ATC, and was completed on June 17, 2021. Approximately 2700 cubic yards of petroleum hydrocarbon impacted soil were removed from the Property and transported to E.T. Technologies Soil Regeneration Facility located in Salt Lake City, Utah, for disposal. Results of the confirmatory soil sampling suggest that significant adsorbed phase hydrocarbons were successfully removed during the excavation activities. The laboratory results indicate that petroleum constituents remain along the sidewalls and floor of the excavated area; however, none of the constituent concentrations measured exceed their respective U.S. EPA Residential RSLs. Based upon the results, ATC recommended the excavation be backfilled and that the Property Owner move forward with redevelopment of the Property. The results of the soil removal effort were documented in a report prepared by ATC, and submitted to the DWMRC on July 2, 2021.

## **2.0 RISK ASSESSMENT**

No formal human health or ecological risk assessments have been performed for the Property. However, as part of previous investigations conducted at the site, Wasatch utilized the US EPA Vapor Intrusion Screening Level (VISL) calculator to assess potential vapor risk at the Property due to the presence of volatile organic compounds (VOCs) and polycyclic aromatic hydrocarbons (PAHs) in the groundwater. The results of the evaluation indicated that numerous groundwater samples exhibited petroleum hydrocarbon and chlorinated solvent concentrations above the applicable U.S. EPA VISL Residential Target Groundwater Concentrations (TGWC). Based upon the totality of the environmental data collected at the Property and given the Property Owner's desire to sell the site for residential use, Wasatch recommended that the known soil impacts be remediated to meet U.S. EPA Residential Soil RSLs, and that the known groundwater and soil gas impacts be addressed through institutional and engineering controls such as an Environmental Covenant and a Site Management Plan. As mentioned above, the soil removal effort was completed in June 2021.

In November 2021, Atlas completed an evaluation of soil-to-groundwater migration potential. The results of the evaluation, which were submitted to the UDEQ in an email correspondence

dated November 19, 2021, indicated that residual concentrations of certain SVOCs (e.g., 1-methylnaphthalene, 2-methylnaphthalene, and naphthalene) in soil could result in exceedances of health-based groundwater standards based on a dilution-attenuation factor of 20. Based upon the results of the evaluation, future groundwater monitoring is warranted. The groundwater monitoring program is discussed in Section 3.1.7 below.

As a component of the SMP, Atlas performed a screening level vapor intrusion risk assessment for VOCs detected in groundwater. The objective of this evaluation was to determine whether potential risks from groundwater vapor intrusion are within the range of acceptable risks pursuant to R315-101-6. A general description of the screening level vapor intrusion risk assessment methodology is provided below:

- The maximum concentrations of VOCs detected in grab groundwater samples collected during the Partner 2018 (B1 through B8) and Wasatch 2019/2020 (GP-1 through GP-28) investigations were identified. The maximum concentrations were compared to both residential and commercial/industrial TGWCs, as available. VOCs for which TGWCs have not been established were excluded from further quantitative analysis. VOCs detected in groundwater at concentrations in excess of residential TGWCs include benzene, naphthalene, and trichloroethene (TCE), while VOCs detected at concentrations in excess of commercial/industrial TGWCs include benzene and naphthalene. Additional VOCs that were detected in groundwater at concentrations below both residential and commercial/industrial TGWCs include toluene, ethylbenzene, m,p-xylenes, total xylenes, and tetrachloroethene (PCE). Appendix B, Table 1 provides a summary of the maximum detected VOC concentrations and comparisons to TGWCs.
- All VOCs detected in groundwater and for which TGWCs have been established were retained for further evaluation in a screening level vapor intrusion risk assessment. For both the residential and commercial/industrial land use scenarios, risks were calculated based under worst-case conditions (i.e., based on the maximum VOC concentration detected in groundwater). Appendix B, Table 2 provides a summary of the upper-bound risk estimates for the worst-case exposure conditions.

The results of the screening level vapor intrusion risk assessment indicate that cumulative lifetime incremental cancer risk (LICR) estimates for worst-case residential and commercial/industrial land use scenarios range from approximately  $1 \times 10^{-5}$  to  $3 \times 10^{-6}$ , respectively. The cumulative hazard indices for the worst-case residential and commercial industrial land use scenarios range from approximately 0.8 to 0.2, respectively.

The results of the screening level vapor intrusion risk assessment demonstrate that the cumulative LICR and hazard index estimates for the worst-case exposure conditions are less than  $1 \times 10^{-4}$  and 1.0, respectively. Therefore, the site conditions meet the Site Management Plan alternative requirements defined in R315-101-6(d) and do not require corrective action. Additional details regarding the screening level vapor intrusion risk assessment methodology are provided in Appendix B.

**Ecological Risk Considerations** - The Property is located within an urban setting of Salt Lake City, Utah. Historical information obtained for the Property indicates that it has been developed since the 1920s with some form of commercial development. The surrounding properties in the

general vicinity of the Property are also highly developed and mostly paved. At present, the Property is being redeveloped as a multi-family apartment complex. Prior to the recent redevelopment activity, the site was occupied by several commercial buildings, and asphalt and concrete surfaces with no vegetation present. As discussed in Section 1.2, the area of known soil petroleum impacts were removed to concentrations below the EPA Residential RSLs. The proposed redevelopment will included a multi-family apartment complex with a multi-level parking structure and concrete and asphalt paved areas throughout the property. Limited areas of landscaping will be installed around the perimeter of the Property and according to the Property Owner, the vegetation that will be utilized will not include any endanger plant species. It is estimated that the proposed apartment complex, parking structure, and paved surfaces will occupied approximately 98% of the surface area of the Property with the remaining area (2%) occupied by landscaping. Based upon observations made at the Property, surrounding properties, and information provided by the Property Owner, it does not appear that the Property offers any significant viable habitat to support ecological receptors. Consequently, current and anticipated future site conditions do not represent a significant ecological threat.

### **3.0 SITE MANAGEMENT**

#### **3.1 Activity and Land Use Limitations**

The EC will be recorded with the Salt Lake County Records Office within 45 days of the final approval by the Agency of this Site Management Plan. The EC recorded against the Property will imposes the following activity and use limitations on the Restricted Property:

##### **3.1.1 Site Management Plan**

The Owner shall comply with this SMP.

##### **3.1.2 Land Use Limitations**

The Property is suitable for residential, commercial and industrial use consistent with applicable local zoning laws; provided that the residential buildings are constructed with a vapor/chemical barriers beneath the structures along with a passive or active vapor mitigation system. Details regarding these engineering controls are provided in Section 3.1.6 of this SMP. Planting crops or fruit trees on the Property for consumption by humans or livestock is prohibited.

##### **3.1.3 Groundwater Limitations**

Groundwater from the shallow unconfined aquifer shall not be used for drinking water, irrigation, or bathing purposes. Other uses of groundwater from the shallow unconfined aquifer on the Property shall be subject to review and approval by the Agency prior to implementation.

##### **3.1.4 Disturbance Limitations**

Appropriate care shall be exercised during construction, remodeling, and maintenance activities related to human-occupied structures on the Property that are in direct contact with site soils as to prevent damage to any installed vapor mitigation measures and to ensure appropriate repairs are promptly made in the event that damage does occur.

### **3.1.5 Construction Dewatering Limitations**

Dewatering conducted to facilitate construction on the Property may require that the groundwater be treated to reduce contaminant concentrations prior to discharge. Prior to commencement of dewatering activities, appropriate permit(s) shall be obtained for discharge to either the stormwater system (under a Utah Pollutant Discharge Elimination System permit obtained from the Utah Division of Water Quality) or to the sanitary sewer (under a Wastewater Discharge Permit obtained from the sewer district). Testing and/or treatment of the groundwater may be required by the receiving facility.

### **3.1.6 Vapor Intrusion Limitations**

For residential enclosed structures intended for human occupancy on the ground floor, appropriate vapor intrusion mitigation measures are required to mitigate exposure risks from the vapor intrusion pathway. Appropriate vapor mitigation measures may include, but are not limited to, installation of a suitable chemical resistant vapor barrier, along with installation of a passive or active sub-slab or submembrane depressurization system. Vapor mitigation measures shall be subject to review and approval by the Agency prior to implementation.

### **3.1.7 Groundwater Monitoring Requirements**

Depth to groundwater at the Property varies from approximately 10 to 12 feet. Since residual concentrations of certain SVOCs may potentially impact groundwater at concentrations in excess of health-based screening levels, implementation of a groundwater monitoring program is required as part of the Site Management Plan for the Property. Upon completion of the redevelopment effort, monitoring wells will be installed in the general vicinity of the former AST area. Prior to the installation of the wells, a Monitoring Well Installation and Groundwater Sampling Work Plan will be submitted to the Agency for approval. The monitoring well screen intervals will be installed across the surficial groundwater aquifer interface in order to monitor groundwater quality. The monitoring wells will be installed with flush-mount covers so as not to impede traffic flow at the Property. Upon installation a semi-annual sampling schedule will be implemented.

### **3.1.8 Indoor Air Monitoring Requirements**

Indoor air quality monitoring is not required as part of the corrective actions approved by the Agency.

### **3.1.9 Surface Water Infiltration Limitations**

As discussed above, the Property redevelopment activities will involve the placement of paving and other hardened surfaces that would impede the infiltration of storm or surface water across approximately 98% of the site surface area. To facilitate stormwater collection and drainage, stormwater drains and subsurface conveyances will be installed at various locations throughout the Property. Stormwater runoff from the paved areas and the parking structure will be directed by sheet flow to stormwater inlets and then conveyed to an inground stormwater detention infiltration basing, any overflow stormwater would then discharge to the public stormwater drain system located along 1700 South. In the landscaped area located directly north of the parking structure and east of the apartment complex, stormwater runoff will be conveyed from a yard box to dry wells located to the north and outside the limits of residual impacted soil.

## **4.0 CONSTRUCTION MANAGEMENT**

The following procedures will apply during site construction activities.

### **4.1 Discovery of Unknown Contamination During Construction**

The following guidelines apply to the discovery of unknown contaminants during redevelopment activities conducted at the Property:

1. If contamination is discovered or suspected during redevelopment activities, the subcontractor will notify the 1700 South Holdings, LP construction manager. The 1700 South Holdings, LP manager shall retain an environmental professional to properly assess the potential contamination and to contact DWMRC to discuss the nature of discovery, actions to be taken, and results of the sampling data.
2. The environmental professional shall inspect the suspected contamination and determine if environmental samples shall be collected to properly characterize the potential contamination. If environmental samples are collected, the environmental professional must properly collect the samples using industry standard collection techniques and use appropriate laboratory analytical methods.
3. No soil suspected of being contaminated and originating from the Property is to leave the Property without being properly sampled and characterized.
4. If the analytical results of the sampling indicate all detected concentrations are below applicable U.S. EPA RSLs, soils excavated during construction activities will be placed back into the excavation they originated from upon completion of the required construction activities, or the soils may be transported off-site for disposal and/or other re-use options.
5. If the analytical results indicate analyte concentrations above applicable U.S. EPA RSLs the data will be provided to DWMRC to provide regulatory oversight of disposal options required to complete the redevelopment activities.
6. Soil suspected of being contaminated that is to be transported off-site should be stockpiled on visqueen as close as possible to the point of generation and sampled and characterized.
7. Even after testing, no soil is to be transported off-site and used as fill for residential, schools, daycare, or long-term care facilities.
8. Sample results used to make soil and waste management decisions (disposal, beneficial reuse, etc.) will be maintained by the Owner and must be made available to the Utah DWMRC within 30 days of a request for the records.

### **4.2 Management of Groundwater During Construction**

The floor of the parking structure was designed to be at near grade elevation. Two elevator pits will be located within the parking structure, and one elevator will be located on the south side of the parking garage. The elevator pits will be installed at a depth of 4-feet below grade and contact with the shallow aquifer is not anticipated during construction. The remaining portions of



the Property will be developed with slab-on-grade structures and contact with the shallow aquifer is not anticipated. However, if groundwater is encountered during construction activities or in the elevator pits during post construction, the groundwater should be assumed to be impacted with VOCs and the following guidelines apply to groundwater management:

1. Dewatering conducted to facilitate construction on the Property may require that the groundwater be treated to reduce contaminant concentrations prior to discharge. Prior to commencement of dewatering activities, appropriate permit(s) shall be obtained for discharge to either the stormwater system (under a Utah Pollutant Discharge Elimination System permit obtained from the Utah Division of Water Quality) or to the sanitary sewer (under a Wastewater Discharge Permit obtained from the sewer district). Testing and/or treatment of the groundwater may be required by the receiving facility.
2. All groundwater pumped during dewatering will be containerized on-site in a Baker tank and will be sampled and characterized to identify proper off-site disposal or treatment options.
3. No groundwater is to be discharged or leave the Property without being sampled and characterized and the results are submitted to DWMRC for consultation and concurrence on water disposal options. Dewatering may require that the groundwater be treated to reduce contaminant concentrations prior to discharge.
4. If after consultation and concurrence with DWMRC, groundwater treatment and discharge is an option, the Utah Division of Water Quality must be contacted and a permit to treat and discharge groundwater must be obtained. Prior to commencement of dewatering activities, appropriate permit(s) shall be obtained for discharge to either the stormwater system (under a Utah Pollutant Discharge Elimination System permit obtained from the Utah Division of Water Quality) or to the sanitary sewer (under a Wastewater Discharge Permit obtained from the sewer district). Testing and/or treatment of the groundwater may be required by the receiving facility.
5. Groundwater sample results used to make groundwater management decisions will be reviewed with the consultation and concurrence of DWMRC (off-site disposal, treatment and discharge, etc.). All sampling data and correspondence with DWMRC and any other regulatory agency will be maintained by the Owner and must be made available to the Utah DWMRC within 30 days of a request for the records.
6. The Owner shall comply with Utah Division of Air Quality requirements for monitoring emissions, if any, resulting from the vapor mitigation measures installed at the Property.

#### **4.3 Constructer Worker Health and Safety**

Construction workers at the Property, particularly those working in contact with soil or groundwater, should be notified of the impacts that are present, and provided with information regarding how to minimize their exposure to the contaminants. Additionally, all construction workers should be operating under a site-specific health and safety plan.

#### **5.0 MAINTENANCE, ACCESS, AND INSPECTIONS**

Under the EC, the Owner of any portion of the Property, shall be responsible for the continued maintenance of any engineering controls implemented under this SMP and EC, on the portion of the Property which it owns.

The Property Owner under the EC and the Agency and their respective authorized agents, employees, and contractors shall have rights of reasonable access to the Property at any time after the effective date of the EC for inspections and monitoring of the compliance with the EC, and for complying with the terms and conditions of the EC and this SMP. Nothing in this SMP shall be construed as expanding or limiting any access and inspection authorities of the DWMRC and the Agency under the law.

##### **5.1 Notice**

Any party or person desiring to access the Property under authority of the EC shall provide notice to the then current Owner of the affected portion of the Property not less than 48 hours in advance of accessing the Property, except in the event of an emergency condition which reasonably requires immediate access. In the event of any such emergency condition, the party exercising this access right will provide notice to the then current Owner of the affected portion of the Property as soon thereafter as is reasonably possible. The DWMRC, the Director, and their authorized officers, employees, or representatives may, at any reasonable time and upon presentation of appropriate credentials, have reasonable access to the Property.

##### **5.2 Disruption**

To the extent that the Owner, the Agency or their authorized representatives, conduct any activities on or within any portion of the Property, they will use reasonable efforts to comply with the then current Owner's security needs and requirements, and will conduct such activities so as to cause the least amount of disruption to the use of the affected portion of the Property as may be reasonably possible. Any person who conducts any activities shall repair or replace any improvements damaged on the affected portion of the Property by such activities.

##### **5.3 Environmental Covenant**

An EC containing the above referenced institutional controls will be filed with the Salt Lake County Recorder's Office upon approval from the DWMRC. A copy of the EC is included in Appendix C of this SMP.

## 6.0 SITE MANAGEMENT CONTACTS

Inquiries concerning the SMP should be directed to the following:

1700 South Holdings, LP  
620 South State Street  
Salt Lake City, Utah 84111  
(385) 232-3952

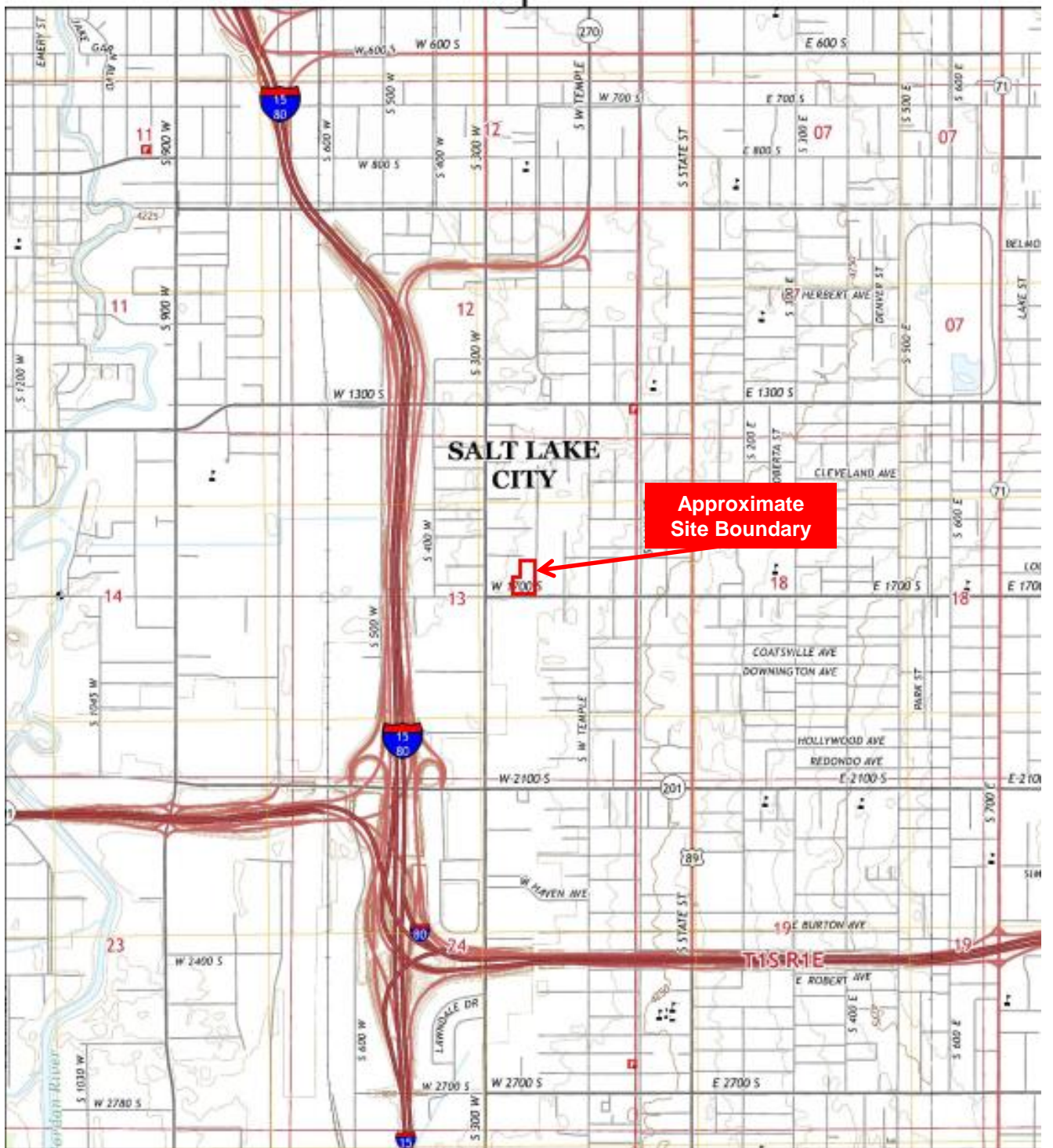
and

Utah Department of Environmental Quality  
Director - Division of Waste Management and Radiation Control  
P.O. Box 144880  
Salt Lake City, Utah 84114-4880  
(801) 536-0200

## FIGURES



NOTE: NOT TO SCALE



1775 S. 4130 W., Suite A  
Salt Lake City, Utah 84104  
(801) 935-4917

PROJECT NO: 271EM00609

SOURCE: EDR

**FIGURE 1**

## SITE VICINITY MAP

### SITE MANAGEMENT PLAN

Former Lynrus Aluminum  
204-232 West 1700 South, and 205 W. Harris Ave.  
Salt Lake City, Utah 84115





Property Boundary

TRAX Rail Line

15-13-257-017

15-13

15-13-257-018

15-13-257-013

SALT LAKE CITY

W HARRIS AVE

W 1700 S



NOTE: NOT TO SCALE

----- Parcel Boundary

The parcels presented above have been consolidated into Parcel 15-13-257-021



1775 S. 4130 W., Suite A  
Salt Lake City, Utah 84104  
(801) 935-4917

PROJECT NO: 271EM00609

SOURCE: Salt Lake County Assessor Website

**FIGURE 2**

## Parcel Map

### Site Management Plan

Former Lynrus Aluminum  
204-232 West 1700 South, and 205 W. Harris Ave.  
Salt Lake City, Utah 84115





SCALE: 1" = 107'



1775 S. 4130 W., Suite A  
 Salt Lake City, Utah 84104  
 (801) 935-4917

SOURCE: Google

REVIEWED BY: JC

DRAWN BY: JC

DATE: 7/21

**FIGURE 3**

**SITE MAP**

**SITE MANAGEMENT PLAN**

Former Lynrus Aluminum

204-232 West 1700 South, and 205 W. Harris Ave.  
 Salt Lake City, Utah 84115

## **APPENDIX A**

### **Parcel Legal Description**



Overall Legal Description

Beginning at a point being located North 89°59'39" East 533.80 feet and North 0°00'21" West 7.57 feet from the Southwest Corner of Lot 2, Block 10, 5 Acre Plat 'A', Big Field Survey also being North 89°59'39" East 555.79 feet along the monumented centerline of 1700 South between 300 West and West Temple Street, and North 0°00'21" West 35.76 feet from the centerline intersection monument located at the intersection of 300 West and 1700 South, running thence North 0°01'05" West 1.61 feet; thence South 89°52'57" West 133.81 feet; thence North 00°00'12" West 242.69 feet; thence North 89°59'39" East 133.75 feet; thence North 0°01'05" West 291.42 feet; thence North 89°59'39" East 188.53 feet; thence South 0°01'05" East 534.54 feet; thence South 89°42'54" West 188.53 feet to the point of beginning.

Basis of bearings is monumented centerline of 1700 South Street between the intersections of 1700 South and 300 West and 1700 South and West Temple, which bears North 89°59'39" East.

Tax Parcel No.: 15-13-257-021

(Historical Parcel Numbers: 15-13-257-013, 15-13-257-018, 15-13-257-017)

## **APPENDIX B**

### **Screening Level Vapor Intrusion Risk Assessment**

**Appendix B, Table 1**  
**VOCs Detected in Groundwater and Comparison to Vapor Intrusion Target Groundwater Concentrations**  
**LR Dynamics**  
**204-232 West 1700 South and 205 West Harris Avenue Salt Lake City, Utah**

Constituent	Maximum Concentration <sup>[1]</sup> (ug/l)	Location of Maximum (Date)	Residential			Maximum Concentration > TGWC <sub>Res</sub> ?	Commercial/Industrial			Maximum Concentration > TGWC <sub>Com</sub> ?
			TGWC <sub>Res</sub> <sup>[2]</sup> (ug/l)	TGWC <sub>Res_CA</sub> <sup>[3]</sup> (ug/l)	TGWC <sub>Res_NC</sub> <sup>[4]</sup> (ug/l)		TGWC <sub>Com</sub> <sup>[2]</sup> (ug/l)	TGWC <sub>Com_CA</sub> <sup>[3]</sup> (ug/l)	TGWC <sub>Com_NC</sub> <sup>[4]</sup> (ug/l)	
Benzene	9.17	GP-8 (12/27/2019)	1.59	1.59	138	Yes	6.93	6.93	579	Yes
Toluene	11.6	GP-8 (12/27/2019)	19,200	--	19,200	No	80,700	--	80,700	No
Ethylbenzene	2.60	GP-11 (12/27/2019)	3.49	3.49	3,240	No	15.2	15.2	13,600	No
m,p-Xylenes	3.68	B3 (7/18/2018)	355	--	355	No	1,490	--	1,490	No
Xylenes, Total	2.90	GP-21 (12/26/2019)	385	--	385	No	1,620	--	1,620	No
Naphthalene	23.6	GP-17 (12/26/2019)	4.59	4.59	174	Yes	20.1	20.1	730	Yes
Trichloroethene (TCE)	3.06	GP-9 (12/27/2019)	1.19	1.19	5.18	Yes	7.43	7.43	21.8	No
Tetrachloroethene (PCE)	4.84	GP-6S (12/27/2019)	14.9	14.9	57.6	No	65.2	65.2	242	No
Carbon Disulfide	5.10	GP-6S (12/27/2019)	1,240	--	1,240	No	5,210	--	5,210	No

**Notes:**

Summary of VOCs includes all constituents that were detected in at least one groundwater sample at a concentration in excess of laboratory reporting limits and for TGWCs have been established.

<sup>[1]</sup> - Maximum detected concentration in any groundwater samples collected during the Partner 2018 investigation (B1 through B8) or Wasatch 2019/2020 investigations (GP-1 through GP-28)

<sup>[2]</sup> - Target Groundwater Concentration (TGWC) for Residential (TGWC<sub>Res</sub>) and Commercial/Industrial (TGWC<sub>Com</sub>) Exposure Pathways as determined from EPA VISL Calculator. Value reflects the lower of the TGWC values for cancer and/or non-cancer health endpoints, as applicable.

<sup>[3]</sup> - TGWC<sub>CA</sub> for Residential and Commercial/Industrial Vapor Intrusion from groundwater, cancer endpoint based on a target lifetime incremental cancer risk of 1E-6.

<sup>[4]</sup> - TGWC<sub>NC</sub> for Residential and Commercial/Industrial Vapor Intrusion from groundwater, non-cancer endpoint based on a target Hazard Index of 1.0.

-- = Not Applicable

All of the above-referenced VOCs are retained for quantitative analysis of vapor intrusion risks under residential and commercial/industrial land-use scenarios

**Appendix B, Table 2**  
**Screening Vapor Intrusion from Groundwater Health Risk Assessment**  
**Theoretical Worst-Case Evaluation**  
**LR Dynamics**  
**204-232 West 1700 South and 205 West Harris Avenue Salt Lake City, Utah**

Residential Exposure Theoretical Worst-Case Evaluation <sup>[1]</sup>							
Constituent	Drinking Water MCL (ug/l)	TGWC <sub>Res_CA</sub> <sup>[2]</sup> (ug/l)	TGWC <sub>Res_NC</sub> <sup>[3]</sup> (ug/l)	Maximum Concentration <sup>[4]</sup> (ug/l)	Location of Maximum (Date)	Lifetime Incremental Cancer Risk	Hazard Index
Benzene	5.0	1.59	138	9.17	GP-8 (12/27/2019)	5.8E-06	0.066
Toluene	1,000	--	19,200	11.6	GP-8 (12/27/2019)	--	0.00060
Ethylbenzene	700	3.49	3,240	2.60	GP-11 (12/27/2019)	7.4E-07	0.00080
m,p-Xylenes	10,000	--	355	3.68	B3 (7/18/2018)	--	0.010
Xylenes, Total	10,000	--	385	2.90	GP-21 (12/26/2019)	--	0.0075
Naphthalene	NE	4.59	174	23.6	GP-17 (12/26/2019)	5.1E-06	0.14
Trichloroethene (TCE)	5.0	1.19	5.18	3.06	GP-9 (12/27/2019)	2.6E-06	0.59
Tetrachloroethene (PCE)	5.0	14.9	57.6	4.84	GP-6S (12/27/2019)	3.2E-07	0.084
Carbon Disulfide	NE	--	1,240	5.10	GP-6S (12/27/2019)	--	0.0041
<b>Cumulative Total</b>						<b>1.E-05</b>	<b>0.8</b>

Commercial/Industrial Exposure Theoretical Worst-Case Evaluation <sup>[1]</sup>							
Constituent	Drinking Water MCL (ug/l)	TGWC <sub>Com_CA</sub> <sup>[2]</sup> (ug/l)	TGWC <sub>Com_NC</sub> <sup>[3]</sup> (ug/l)	Maximum Concentration <sup>[4]</sup> (ug/l)	Location of Maximum (Date)	Lifetime Incremental Cancer Risk	Hazard Index
Benzene	5.0	6.93	579	9.17	GP-8 (12/27/2019)	1.3E-06	0.016
Toluene	1,000	--	80,700	11.6	GP-8 (12/27/2019)	--	0.00014
Ethylbenzene	700	15.2	13,600	2.60	GP-11 (12/27/2019)	1.7E-07	0.00019
m,p-Xylenes	10,000	--	1,490	3.68	B3 (7/18/2018)	--	0.0025
Xylenes, Total	10,000	--	1,620	2.90	GP-21 (12/26/2019)	--	0.0018
Naphthalene	NE	20.1	730	23.6	GP-17 (12/26/2019)	1.2E-06	0.032
Trichloroethene (TCE)	5.0	7.43	21.8	3.06	GP-9 (12/27/2019)	4.1E-07	0.14
Tetrachloroethene (PCE)	5.0	65.2	242	4.84	GP-6S (12/27/2019)	7.4E-08	0.020
Carbon Disulfide	NE	--	5,210	5.10	GP-6S (12/27/2019)	--	0.0010
<b>Cumulative Total</b>						<b>3.E-06</b>	<b>0.2</b>

**Notes:**

<sup>[1]</sup> - Theoretical Worst-Case Evaluation is based on the maximum concentration of each constituent detected in any groundwater sample collected. All previous groundwater samples were discrete "grab" type samples and were not obtained from properly constructed groundwater monitoring wells. Actual maximum concentrations in properly developed groundwater monitoring wells may be significantly lower. Cumulative vapor intrusion risk estimates assume that the maximum concentrations of all constituents are co-located. GP-8 and GP-9 are located within the same general area, while GP-17 is located approximately 130 feet northwest of these locations.

TGWC - Target Groundwater Concentration

<sup>[2]</sup> - TGWC<sub>CA</sub> for Residential and Commercial/Industrial Vapor Intrusion from groundwater, cancer endpoint at a LICR of 1E-6. Note that residential target groundwater concentrations for benzene, ethylbenzene, and TCE are below drinking water MCLs. Commercial/industrial target groundwater concentrations for benzene and ethylbenzene are below drinking water MCLs.

<sup>[3]</sup> - TGWC<sub>NC</sub> for Residential and Commercial/Industrial Vapor Intrusion from groundwater, non-cancer endpoint at a Hazard Index (HI) of 1.0. Note that residential and commercial/industrial target groundwater concentrations for m,p-xylenes and total xylenes are below drinking water MCLs.

<sup>[4]</sup> - Maximum detected concentration in any groundwater samples collected during the Partner 2018 investigation (B1 through B8) and Wasatch 2019/2020 investigation (GP-1 through GP-28)

The maximum concentration of naphthalene is based on the highest value reported for samples analyzed by either EPA Methods 8260 or 8270.

NE - Not Established

**APPENDIX C**  
**Environmental Covenant**

**To be recorded with County  
Recorder – Utah Code Ann § 57-25-108**

When Recorded Return To:  
1700 South Holdings, LP  
620 South State Street  
Salt Lake City, UT 84111

With Copy To:  
Douglas J. Hansen, Director  
Utah Division of Waste Management and Radiation Control  
P.O. Box 144880  
Salt Lake City, Utah 84114-4880

### **ENVIRONMENTAL COVENANT**

1. This Environmental Covenant is entered into by 1700 South Holdings, LP (the “Owner”) and the Utah Department of Environmental Quality, Utah Division of Radiation Control and Waste Management (“Agency”) pursuant to Utah Code Ann. §§ 57-25-101 et seq. for the purpose of subjecting the Property described in paragraph 2, below, to the activity and use limitations set forth herein (“Environmental Covenant”).

### **PROPERTY**

2. The property encumbered by this environmental covenant consists of the following parcel: 15-13-257-021, located at 204-232 West 1700 South, and 205 West Harris Avenue, Salt Lake City, Utah. The parcel total is approximately 3.06 acres in size. The legal description for the parcel is provided on Exhibit A, attached hereto and incorporated by this reference.

### **ENVIRONMENTAL RESPONSE PROJECT**

3. The Environmental Response Project is referred to as the Former Lynrus Aluminum (a.k.a LR Dynamics) located at 204-232 South 1700 West, and 205 West Harris Avenue, in Salt Lake City, Utah, and is currently being redeveloped into a multi-family residential complex. The project administrative records are maintained and managed by the Utah Department of Environmental Quality, Division of Waste Management and Radiation Control (“DWMRC”), and the Records Center or State Archives, in accordance with the Division’s Documents Retention Schedule. Paragraphs 4 through 6 below summarize the investigations conducted to evaluate the potential for soil and groundwater contamination at the site. Additional details regarding site investigation and the remedial work performed at the site are available in the administrative record.

4. The results of several previous subsurface investigations have indicated the presence of petroleum and chlorinated solvent impacts to soil, groundwater, and soil gas at the Property. However, the chlorinated impacts to soil and groundwater in this area were found to be below the applicable United States Environmental Protection Agency (U.S. EPA) Regional Screening Levels (RSLs) for Residential Soil and U.S. EPA Maximum Contaminant Levels (MCLs). Accordingly, as of the date of the investigations, soil gas was the only media in the chlorinated solvent impact area that exceeded applicable U.S. EPA screening levels. Additionally, the results of the subsurface investigations in the area of the former petroleum bulk Aboveground Storage Tanks (AST) (the "AST Storage Area"), which area is depicted on Exhibit B, attached hereto and incorporated by this reference, indicated the soil in the AST Storage Area had been impacted at concentrations above the applicable U.S. EPA RSL for Residential and Industrial Soil for naphthalene, 1-methylnaphthalene, and 2-methylenaphthalene. The results of the subsurface investigations indicated that groundwater at the Property has been impacted at concentrations above the U.S. EPA MCL for benzene.

5. In March 2020, Wasatch Environmental (Wasatch) prepared a Corrective Action Plan ("CAP") on behalf of the former Property owner, LR Dynamics, and submitted it to the UDEQ, DWMRC, for review. The CAP was intended to address residual petroleum and chlorinated solvent impacts to soil and groundwater in the AST Storage Area. To address residual soil impacts at the Property, Wasatch proposed removing all of petroleum impacted soil above U.S. EPA Residential RSLs in the AST Storage Area. To address residual groundwater impacts beneath the Property Wasatch recommended the installation of vapor/chemical barriers beneath all of the new residential structures and that residual impacts be managed under a Site Management Plan ("SMP") and Environmental Covenant ("EC"). On April 17, 2020, the Agency issued a correspondence approving the soil removal CAP.

6. On May 17, 2021, the impacted soil removal effort began under the supervision of ATC Group Services, LLC, and was completed on June 17, 2021. Approximately 2700 cubic yards of petroleum hydrocarbon impacted soil were removed from the Property and transported to E.T. Technologies Soil Regeneration Facility located in Salt Lake City, Utah, for disposal. Results of the confirmatory soil sampling suggest that significant adsorbed phase hydrocarbons were successfully removed during the excavation activities. The laboratory results indicate that petroleum constituents remain along the sidewalls and floor of the excavated area; however, none of the constituent concentrations measured exceed their respective U.S. EPA Residential RSLs. Based upon the results, ATC recommended the excavation be backfilled and that the Property owner move forward with redevelopment of the Property. The results of the soil removal effort were documented in a report prepared by ATC, and submitted to the Agency on July 7, 2021.

## COVENANT

7. Now therefore, Owner and the Agency agree to the following:

8. Environmental Covenant. This Environmental Covenant is developed and executed pursuant to Utah Code Ann. §§ 57-25-101 et seq. The Environmental Covenant shall run with the land.

9. Property. This Environmental Covenant applies to the property located at 204-232 West 1700 South, and 205 West Harris Avenue, located in Salt Lake City, Utah: Parcel Number 15-13-257-021, consisting of approximately 3.06 acres of real property. The parcel legal description is provided in Exhibit A.

10. Owner. An “Owner” of the Property is a person who controls, occupies, or holds an interest (other than this Environmental Covenant) in the Property at any given time. Consistent with Paragraph 13 (“Running with the Land”) of this Environmental Covenant, the obligations of the Owner are imposed on assigns and successors in interest, including any Transferee. The term “Transferee” as used in this Environmental Covenant, includes the future of any interest in the Property or any portion thereof, including, but not limited to, owners of an interest in fee simple, mortgagees, easement holders, or lessees.

11. Holder. Owner is the holder of this Environmental Covenant.

12. Activity and Use Limitations and Maintenance Requirements. As part of the SMP, Owner hereby imposes and agrees to comply with the following activity and use limitations at the Property:

### Land Use Limitations:

The Property is suitable for residential, commercial and industrial use consistent with applicable local zoning laws; provided that the residential buildings are constructed with a vapor/chemical barriers beneath the structures along with a passive or active vapor mitigation system. Details regarding these engineering controls are provided in the “Vapor Intrusion Limitations” section, below. Planting crops or fruit trees on the Property for consumption by humans or livestock is prohibited.

### Groundwater Limitations:

Groundwater from the shallow unconfined aquifer shall not be used for drinking water, irrigation, or bathing purposes. Other uses of groundwater from the shallow unconfined aquifer on the Property shall be subject to review and approval by the Agency prior to implementation.

### Disturbance Limitations:

Appropriate care shall be exercised during construction, remodeling, and maintenance activities related to human-occupied structures on the Property that



are in direct contact with site soils as to prevent damage to any installed vapor mitigation measures and to ensure appropriate repairs are promptly made in the event that damage does occur.

**Construction Dewatering Limitations:**

Dewatering conducted to facilitate construction on the Property may require that the groundwater be treated to reduce contaminant concentrations prior to discharge. Prior to commencement of dewatering activities, appropriate permit(s) shall be obtained for discharge to either the stormwater system (under a Utah Pollutant Discharge Elimination System permit obtained from the Utah Division of Water Quality) or to the sanitary sewer (under a Wastewater Discharge Permit obtained from the sewer district). Testing and/or treatment of the groundwater may be required by the receiving facility.

**Vapor Intrusion Limitations:**

For residential enclosed structures intended for human occupancy on the ground floor, appropriate vapor intrusion mitigation measures are required to mitigate exposure risks from the vapor intrusion pathway. Appropriate vapor mitigation measures may include but are not limited to installation of a suitable chemical resistant vapor barrier, along with installation of a passive or active sub-slab or submembrane depressurization system. Vapor mitigation measures shall be subject to review and approval by the Agency prior to implementation.

13. Running with the Land. This Environmental Covenant shall be binding upon the Owner and all assigns and successors in interest, including any Transferee, and shall run with the land, pursuant to Utah Code Ann. § 57-25-105, subject to amendment or termination as set forth herein. The term "Transferee," as used in this Environmental Covenant, shall mean any future owner of any interest in the Property or any portion thereof, including, but not limited to, owner(s) of an interest in fee simple, mortgagees, easement holders, and/or lessees.

14. Compliance Enforcement. Compliance with this Environmental Covenant may be enforced pursuant to Utah Code Ann. § 57-25-111. Failure to timely enforce compliance with this Environmental Covenant or the activity and use limitations contained herein by any Party shall not bar subsequent enforcement by such Party and shall not be deemed a waiver of the Party's right to take action to enforce any non-compliance. Nothing in this Environmental Covenant shall restrict the Agency, its director, or his/her successor from exercising any authority under applicable law.

15. Rights of Access. Owners hereby grants to the Agency, its agents, contractors, and employees, the right of reasonable access to the Property for implementation or enforcement of this Environmental Covenant, subject to constitutional limitations on warrantless searches and seizures. Nothing in this Environmental Covenant shall be construed as limiting or expanding any access and inspection authorities of the Agency under State law.

16. Notice upon Conveyance. Each instrument hereafter conveying any interest in the Property or any portion of the Property shall contain a notice of the activity and use limitations set forth in this Environmental Covenant and provide the recorded location of this Environmental Covenant. The notice shall be substantially in the following form:

THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL COVENANT, DATED \_\_\_\_\_, 202\_\_, RECORDED IN THE DEED OR OFFICIAL RECORDS OF THE \_\_\_\_\_ COUNTY RECORDER ON \_\_\_\_\_, 202\_\_, IN [DOCUMENT \_\_\_\_\_, *or* BOOK\_\_\_\_, PAGE \_\_\_\_]. PARAGRAPH\_\_\_\_, OF THE ENVIRONMENTAL COVENANT (ACTIVITY AND USE LIMITATIONS) IS INCORPORATED HEREIN, IN ITS ENTIRETY, BY REFERENCE.

Owner(s) shall notify the DEQ within ten (10) days after each conveyance of an interest in any portion of the Property. Owner's notice shall include the name, address, and telephone number of the Transferee, a copy of the deed or other documentation evidencing the conveyance, and an unsurveyed plat that shows the boundaries of the property being transferred.

17. Representations and Warranties. Owner[s] hereby represent[s] and warrant[s] to the other signatories hereto:

- A. Owner is the sole owner of the Property;
- B. Owner holds fee simple title to the Property which is subject to the interests or encumbrances of record in the official records of the Salt Lake County Recorder's Office;
- C. Owner has the power and authority to enter into this Environmental Covenant, to grant the rights and interests herein provided, and to carry out all obligations hereunder;
- D. Owner has identified all other persons that own an interest in or hold an encumbrance on the Property, and notified such persons of the Owner's intention to enter into this Environmental Covenant; and
- E. This Environmental Covenant will not materially violate or contravene or constitute a material default under any other agreement, document or instrument to which Owner is a party or by which Owner may be bound or affected.

18. Amendment or Termination. This Environmental Covenant may be amended or terminated by written consent pursuant to Utah Code Ann. § 57-25-110 and other applicable law. The term, "Amendment," as used in this Environmental Covenant,

shall mean any changes to the Environmental Covenant, including the activity and use limitations set forth herein, or the elimination of one or more activity and use limitations when there is at least one limitation remaining. The term, "Termination," as used in this Environmental Covenant, shall mean the elimination of all activity and use limitations set forth herein and all other obligations under this Environmental Covenant.

Except as set forth herein, Owner waives any and all rights to consent or notice of amendment concerning any parcel of the Property to which Owner has no fee simple interest at the time of amendment or termination. Nothing in this Environmental Covenant shall be interpreted to mean that the Agency waives the right to consent to or notice of amendment or termination of this Environmental Covenant.

19. Severability. If any provision of this Environmental Covenant is found to be unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired.

20. Governing Law. This Environmental Covenant shall be governed by and interpreted in accordance with the laws of the State of Utah.

21. Recordation. Within thirty (30) days after the date of the final required signature upon this Environmental Covenant, Owner shall file this Environmental Covenant for recording, in the same manner as a deed to the Property, with the County Recorder's Office.

22. Effective Date. The effective date of this Environmental Covenant shall be the date upon which the fully executed Environmental Covenant has been recorded as a document of record for the Property with the Salt Lake County Recorder.

23. Distribution of Environmental Covenant. The Owner shall distribute a file- and date-stamped copy of the recorded Environmental Covenant to the Director within 30 days of recordation.

24. Notice. Unless otherwise notified in writing by or on behalf of the current Owner or the Agency, any document or communication required by this Environmental Covenant shall be submitted to:

If to the Agency:

Utah Department of Environmental Quality  
Division of Environmental Response and Remediation  
168 North 1950 West, 1<sup>st</sup> Floor  
Salt Lake City, Utah 84114-4840

If to the Owner:

Jeff Nielson

1700 South Holdings, LP  
620 South State Street  
Salt Lake City, UT 84111

25. Governmental Immunity. In approving this covenant, the Agency does not waive governmental immunity afforded by law. The Owner, for themselves and their successors, assigns, and Transferees, hereby fully and irrevocably release and covenant not to sue the State of Utah, its agencies, successors, departments, agents, and employees (State) from any and all claims, damages, or causes of action arising from, or on account of the activities carried out pursuant to this Environmental Covenant except for an action to amend or terminate the Environmental Covenant pursuant to Sections 57-25-109 and 57-25-110 of the Utah Code Ann. or for a claim against the State arising directly or indirectly from or out of actions of employees of the State that would result in (i) liability to the State of Utah under Section 63G-7-301 of the Governmental Immunity Act of Utah, Utah Code Ann. Section 63G-7-101, *et seq.* or (ii) individual liability for actions not covered by the Governmental Immunity Act as indicated in Sections 63G-7-202 and -902 of the Governmental Immunity Act, as determined in a court of law.

26. Payment of Agency's Costs. Consistent with the Act and other applicable law, the Owner, if invoiced, shall reimburse the Agency for the Agency's costs related to this Environmental Covenant. The invoice may be based on actual costs incurred by Agency or on the fee schedule approved by the legislature or both as applicable.

The undersigned Owner's representative certifies that he/she is authorized to execute this Environmental Covenant.

**1700 South Holdings, LP, a Utah Limited Partnership**  
as Owner representative

BY: 1700 SOUTH GP, LLC  
A Utah Limited Liability Company  
Its General Partner

By \_\_\_\_\_  
Jeff Nielson, Manager

\_\_\_\_\_  
Date

State of Utah                    )  
  )  
County of Salt Lake         )        ss:

Before me, a notary public, in and for said county and state, personally appeared Jeff Nielson, of 1700 South Holdings, LP, who acknowledged to me that *[he/she]* did execute the foregoing instrument on behalf of the Company.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

**UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY**

On behalf of the Utah Department of Environmental Quality, the Director of the Division of Waste Management and Radiation Control approves the foregoing Environmental Covenant pursuant to Utah Code Ann. Sections 57-25-102(2) and 57-25-104(1)(e).

\_\_\_\_\_  
Douglas J. Hansen, Director  
Division of Waste Management and Radiation  
Control

\_\_\_\_\_  
Date

State of Utah        )  
                                  )  
                                  )     ss:  
County of Salt Lake )

Before me, a notary public, in and for said county and state, personally appeared Ty L.Howard, Director of the Utah Division of Waste Management and Radiation Control, who acknowledged to me that he did execute the foregoing instrument.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this \_\_\_\_\_ day of \_\_\_\_, 20\_\_ .

\_\_\_\_\_  
Notary Public

Overall Legal Description

Beginning at a point being located North 89°59'39" East 533.80 feet and North 0°00'21" West 7.57 feet from the Southwest Corner of Lot 2, Block 10, 5 Acre Plat 'A', Big Field Survey also being North 89°59'39" East 555.79 feet along the monumented centerline of 1700 South between 300 West and West Temple Street, and North 0°00'21" West 35.76 feet from the centerline intersection monument located at the intersection of 300 West and 1700 South, running thence North 0°01'05" West 1.61 feet; thence South 89°52'57" West 133.81 feet; thence North 00°00'12" West 242.69 feet; thence North 89°59'39" East 133.75 feet; thence North 0°01'05" West 291.42 feet; thence North 89°59'39" East 188.53 feet; thence South 0°01'05" East 534.54 feet; thence South 89°42'54" West 188.53 feet to the point of beginning.

Basis of bearings is monumented centerline of 1700 South Street between the intersections of 1700 South and 300 West and 1700 South and West Temple, which bears North 89°59'39" East.

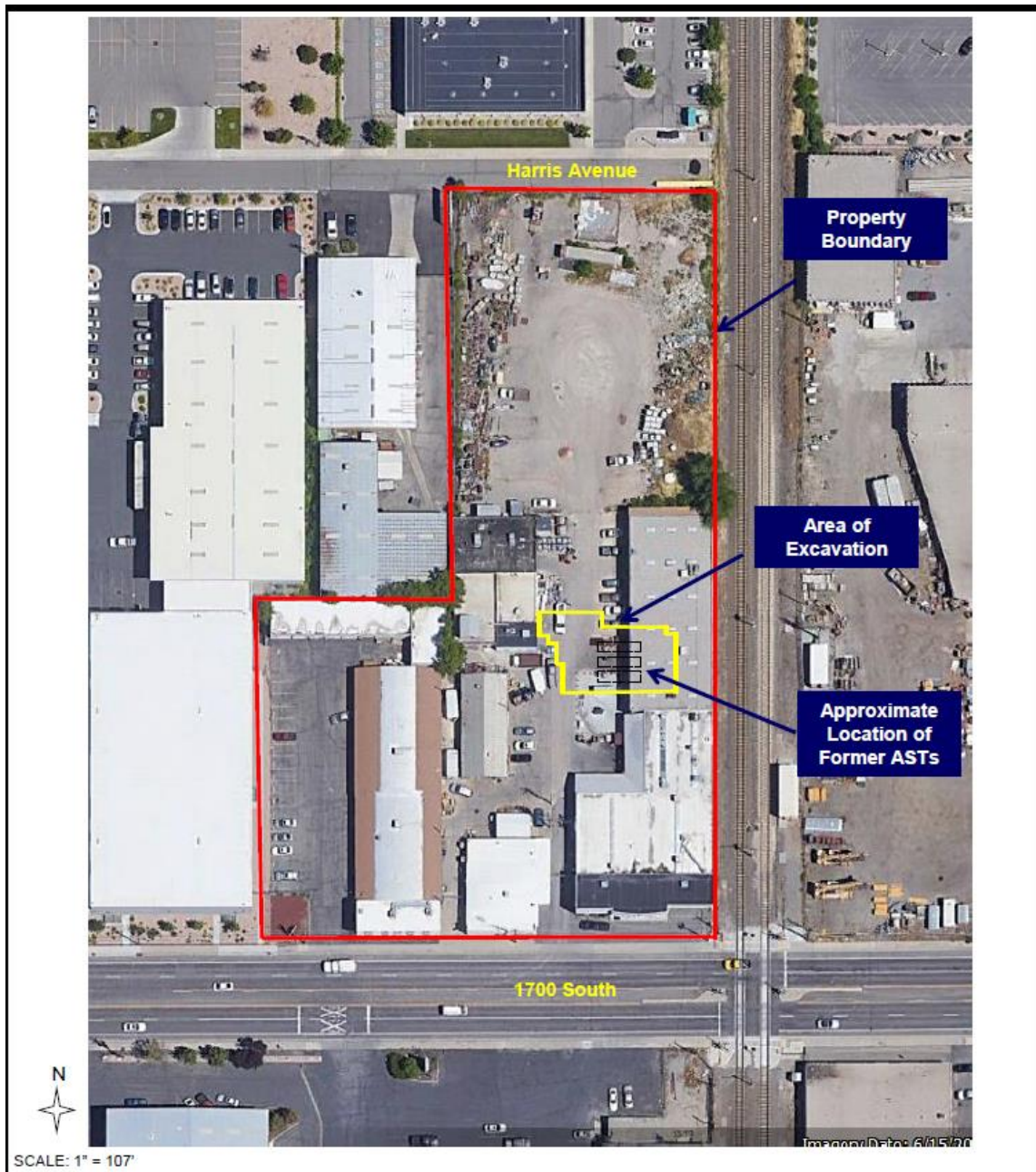
Tax Parcel No.: 15-13-257-021

(Historical Parcel Numbers: 15-13-257-013, 15-13-257-018, 15-13-257-017)

EXHIBIT B

(Depiction of the AST Storage Area)





SCALE: 1" = 107'

		1775 S. 4130 W., Suite A Salt Lake City, Utah 84104 (801) 935-4917	
		SOURCE: Google	REVIEWED BY: JC
DRAWN BY: JC	DATE: 7/21	<b>FIGURE 3</b>	

**SITE PLAN**  
**SITE MANAGEMENT PLAN**  
 Former Lynrus Aluminum  
 204-232 West 1700 South, and 205 W. Harris Ave.  
 Salt Lake City, Utah 84115