

**PHASE I
ENVIRONMENTAL SITE ASSESSMENT
REPORT**

for

**2420 East 29th Avenue
Spokane, WA**

Prepared For

Steve Schmautz

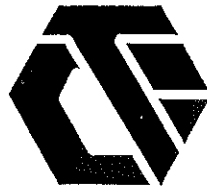
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Section 1.0

SUMMARY

TechCon, Inc. (TechCon) has completed a Phase I Environmental Site Assessment (Phase I) for the subject site, a professional office building located at a street address of 2420 East 29th Avenue, Spokane, Washington. This report presents the results of that review as outlined in the Scope of Work in *Appendix C*. Below is a summary of the items reviewed for this Phase I.

1.1 Certified Environmental Professionals: The individual who conducted this investigation is Daniel Autrey, a Certified Environmental Inspector and Registered Environmental Assessor. Mr. Autrey and the technical professionals who assisted him, have years of experience in the environmental and engineering fields. In addition, they have been actively performing or managing Phase I, II and III Environmental Site Assessments, hazardous waste projects, soil remediation, and radon, asbestos, lead and microbial projects since 1992. We declare that to the best of our professional knowledge and belief, we meet the definition of *Environmental Professionals* as defined in §312.10 of 40 CFR 312. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed all the appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

1.2 Scope of Work: A summary of the project Scope of Work is included in the Appendix Section. The Scope of Work provided below briefly explains some of the activities that may be performed in the evaluation of the environmental conditions at the property.

1.2.1 Historical Review - This review identifies (1) property use from the present back to 1940, using standard historical sources and (2) uses prior to 1940, until a time when the property was not yet developed (development including the placement of fill upon



the property). The review uses at least one of the following standard historical sources: aerial photographs, fire insurance maps, property tax files, recorded land title records, USGS 7.5 minute topographic maps, local street directories, building department records, zoning/land use records or other credible historical sources.

- 1.2.2 Regulatory Agency Review - The agency review includes a survey of federal, state, and county regulatory files for evidence of enforcement actions, permits, registrations, or notification of site contamination. The review includes a search of the following federal and state governmental sources and the minimum search distance, as required by American Society of Testing and Material (ASTM) standards:

Regulatory Review List

Abbreviation	Name	Radius(Mi)
NPL	National Priorities List	1
CERCLIS	Comprehensive Environmental Response, Compensation and Liability Information System	.5
MTCA	Model Toxics Control Act Hazardous Waste Sites	1
ERNS	Emergency Response Notification System	Property
UST	Underground Storage Tanks	Property/Adjoining
LUST	Leaking Underground Storage Tanks	.5
MWF	Municipal Waste Facilities	.5
RCRA	Resource Conservation & Recovery Act	Property/Adjoining
RCRA-TSD	RCRA TSD Facilities not subject to corrective action	1
CORRACT	RCRA Facilities subject to corrective action	1

- 1.2.3 Site Investigation - The site will be reviewed by a certified Environmental Professional. The Environmental Professional will observe and assess characteristics of the property which pose or have potential to pose environmental problems. The review may, depending on the Scope of Work, include a survey of the following:



- ▲ *Underground Storage Tanks (USTs)* - USTs are acknowledged as a potentially significant source of environmental contamination. Contamination of soils can occur as a result of spills, overfills, or releases from these tanks. Groundwater contamination is typically caused by more aggressive release conditions such as leaking tanks, pipes, and delivery systems.

USTs can contain a variety of regulated or unregulated substances. A UST system includes the tank, underground piping, and underground ancillary equipment such as pumps, secondary containment systems, or monitoring equipment, if present.

- ▲ *Aboveground Storage Systems* - The hazards posed by aboveground storage systems are similar to those of USTs. These aboveground storage systems include aboveground storage tanks (ASTs), 55-gallon drums, and metal cans or plastic containers that serve as storage devices. ASTs can hold a variety of suspect products, and are found on construction sites, commercial property, industrial plants, oil refineries, and in and around residential houses. Any leaking aboveground storage system used to store petroleum products or other hazardous substances presents a risk of contaminating surface soils and groundwater. An aboveground storage system may also pose a fire/explosion hazard if it contains flammable, combustible, or reactive materials. An aboveground storage system can contain many different products including, but not limited to: cleaning solvents, waste oils, kerosene, engine oil, heating fuel, gasoline and diesel fuel, acids, pesticides, and liquid fertilizers.

Included in the investigation of an aboveground storage system are the devices that support such a system. For example, AST support systems may



include the fill tubes, air vents, above or below delivery lines, transfer pumps, alarms, and leak detection or monitoring systems.

- ▲ *Sensitive Receptors* - A sensitive receptor is identified as a potential pathway for contamination to migrate down from the soil surface and impact the subsurface and groundwater environments. A few of the easily identifiable sensitive receptors include:
 - ▲ Drinking and groundwater monitoring wells
 - ▲ Drywells, catch basins, and sumps
 - ▲ Septic systems
 - ▲ Electrical utility conduits
 - ▲ City water and sewer lines
 - ▲ Trenches, culverts, and septic system lines

- ▲ *Surface Contamination* - Potential sources for surface contamination are significant because they can represent a continuing or sporadic source of contaminants. Drainage ditches, alleyways, storage areas, out-falls, air emission sources, and railroad tracks are among the things that serve as potential sources and/or conduits for contamination. Existing practices regarding waste products are reviewed, including storage and disposal. Stained soil or pavement is noted, as well as signs of distressed vegetation, odors, pools of liquids, and petroleum products.

- ▲ *Polychlorinated Biphenyl (PCB) Equipment* - PCBs are toxic molecules that, when ingested, attach themselves to human fat tissues and act as possible carcinogens. In the past, PCBs were used in equipment such as transformers, capacitors, fluorescent ballasts, circuit breakers, and switch-gear systems.



PCBs are found in equipment hydraulic fluids. Problems develop when these oils and/or fluids leak out of the equipment and contaminate the soil and groundwater. The Environmental Protection Agency (EPA) regulates PCB levels over 50 parts per million (ppm) in a transformer.

- ▲ *Pesticides and Herbicides* - Pesticides are chemical products developed to eradicate a target species. Pesticides include insecticides, herbicides, rodenticide, fungicides, and disinfectants. While these products significantly reduce agricultural crop losses and public health concerns (diseases), they pose a toxic health hazard if misused, not properly stored, or improperly disposed.

- ▲ *Lead-Based Paint* - In 1978, the United States banned the use of lead pigments in paints used on interior and exterior residential surfaces. However, lead-containing products are still available and legal for use on commercial and industrial projects. Field screening tests can determine the presence of lead products, but validation of the amount of lead content requires laboratory analysis of the paint chips or testing the surfaces by X-ray fluorescence. Screening for lead-based paint is not part of this Phase I Environmental Site Assessment.

Lead paint is currently regulated by the Occupational Safety and Health Administration (OSHA) and Washington Industrial Safety and Health Administration (WISHA). Current regulations in Washington require contractors to adhere to Washington Administrative Code (WAC) Chapter 296-155-176, Lead, prior to demolition.



- ▲ *Hazardous Waste* - The term "hazardous waste" refers to a large variety of chemical, biological, and radioactive substances. These substances pose health and safety risks to humans, vegetation, wildlife, and to the environment. Hazardous materials have the potential to cause contamination to a property or its surroundings should they be released to the environment through spills, fire, or intentional disposal. Improper disposal of hazardous substances can also result in contamination of soil, groundwater, or surface water.

Hazardous substances include chemicals used in industrial processes or liquids found in equipment such as X-ray machines, batteries, and electrical transformers. Some household products, such as soaps, detergents, and cleaners are classified as hazardous substances. Other products include solvents, paints, petroleum products, agricultural chemicals, and biological products.

The Hazard Communication Standard (HCS) is the name for the WAC Chapter 296-62-part C, which implements the Worker and Community Right to Know Act related to the workplace. The code sets requirements for information and training on hazardous chemicals used in the workplace when businesses have more than one worker. Federal law requires compliance with hazard communication regulations by requiring manufacturers, distributors, and users to label containers, provide Material Safety Data Sheets (MSDSs) and provide information and training to their employees regarding hazardous materials. The Environmental Professional will review the chemicals and MSDSs used at the project site for compliance with HCS.



- ▲ *Asbestos-Containing Material (ACM)* - Asbestos is a naturally occurring mineral fiber found in rocks. These fibers are fire resistant and have good bonding capabilities. These two properties made asbestos an ideal substance for building and machinery parts, and it has been incorporated into many products since the early 1900's. Many of these products are still functional and present in existing buildings. However, in the 1970's, asbestos use in the United States became restricted and was gradually phased out. It has been estimated that between 1900 and 1980, more than 30 million tons of asbestos were used in the United States. Some of the easily recognizable products that have been found to contain asbestos fibers include:
 - ▲ Hot water pipe covering, duct and boiler insulation
 - ▲ Sprayed-on wall and ceiling acoustical finishes
 - ▲ Acoustical ceiling tiles
 - ▲ Heat reflectors on wood stoves
 - ▲ Roofing shingles and felts
 - ▲ Siding on commercial and residential buildings
 - ▲ Window putty, spackling compounds, and vinyl adhesives
 - ▲ Floor tile

- ▲ *Urea Formaldehyde Foam Insulation (UFFI)* - UFFI is a thermal insulation material pumped into the spaces between the walls of a building, where it hardens to form a solid layer of insulation. The ability to inject this foam-based material has enabled UFFI to be used freely in hard-to-reach places, and it is estimated to have been installed in half a million buildings in the United States. As the foam matures, it gives off formaldehyde vapors which can cause discomfort to building occupants. It is also known that a small percentage of the population can have a strong reaction to very low



concentrations of formaldehyde. Therefore, it has been banned from further use.

- ▲ *Radon* - Today the EPA considers exposure to indoor radon gas to be a serious environmental health concern. Radon is a naturally occurring gas that is radioactive, colorless, and odorless. It moves through soil, rock, and water, around pipes, through floor traps, vents, and cracks in the concrete floors, then collects in the lower areas of a building.

Radon gas is produced when natural radioactive minerals break down and decay. These natural minerals are always present in the environment in slight amounts and are found in increased quantities in granitic or basaltic deposits. Radon gas further decays into smaller particles known as radon daughters or progeny, which attach to soil or dust particles in the air. As these particles are inhaled, the daughter products can be deposited on the lining of the lung and subsequently decay or emit radioactive particles. This radioactive decay damages lung tissue and causes cellular changes which can transform normal cells into cancer cells.

The EPA has established an action level of 4 pCi/L. for residential applications. That action level is an annual average for residential settings based on an exposure to that average level for 75% of the hours in a 70-year lifespan.

- 1.2.4 Review of Adjacent Properties - The Environmental Professional will survey adjacent properties for recognized environmental conditions that may have an impact on the subject site. The survey will include, but is not limited to a review of nearby



service stations, print shops, industrial facilities, listed federal and state hazardous waste sites, waste generators, and municipal waste sites.



Section 2.0

INTRODUCTION

- 2.1 Purpose:** The purpose of this Phase I is to conduct an *environmental site assessment* of a parcel of commercial real estate with respect to the range of contaminants within the scope of Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and petroleum products; and to perform a visual, non-invasive review of the property and to identify recognized environmental conditions. The term *recognized environmental conditions* means the presence or likely presence of hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. This Phase I assessment includes but is not limited to: determination of the presence of underground storage tanks (USTs), aboveground storage tanks (ASTs), polychlorinated biphenyl (PCB) equipment, urea formaldehyde insulation (UFFI), and hazardous wastes stored on-site, generated, or disposed of on the property. This review also focuses on site conditions, and/or building construction that could impact the site. Also addressed are activities at adjoining properties and area businesses which could have potential to create recognized environmental conditions on the subject site.

The site review assesses past use of the property through a historical review of publicly available information. This review evaluates the likelihood that the site could contain recognized environmental conditions resulting from past operational activities. In addition, a regulatory review is conducted of operating permits, documentation of violations or judgement orders, and identification of past and/or present environmental conditions at the site.



- 2.2 Special Terms and Conditions:** There are no special terms or conditions associated with the scope of work for this investigation. The scope did not include any requirements for sampling of media for laboratory analyses or field screening to determine the possible presence of specific contaminants.
- 2.3 Limitations and Exceptions of Assessment:** There were no observed limitations that required limitations or exceptions to be identified. All areas of the subject site were accessible and the weather conditions were favorable at the time of the site reconnaissance.
- 2.4 Limiting Conditions and Methodology Used:** TechCon has completed this Phase I in substantial compliance with the scope and limitations of ASTM Practice E 1527-05, as well as 40 CFR 312, and industry standards. However, it is acknowledged that hazardous materials and/or substances may be concealed in construction, masked by other materials or coverings, buried in the ground, submerged, or for some reason undetectable to the Environmental Professional, even through the exercise of due diligence. In addition, although this report may address structural aspects of the property/facility, the Environmental Professional specifically did not review designs, make calculations, perform tests, or in any way assume responsibility for the actual structural condition of the property/facility. This completed Phase 1 also refers to information regarding soil, geology and groundwater. However, the information provided is obtained from sources thought to be reliable and the recitation of such information does not in any manner whatsoever infer that the Environmental Professional is performing any geologic investigation, analysis or interpretation that should be performed by a certified geologist or hydrogeologist.
- 2.5 Assumptions:** TechCon assumes that all information obtained from Client pertaining to the subject property is correct and complete. TechCon also assumes that Client has provided TechCon with all reasonably ascertainable prior environmental reports concerning the subject property. TechCon also assumes that this report will be used as a complete document and



that no individual portions of the report will be evaluated without the totality of the information contained in the report being used for background and reference. Current observations, conditions, or regulatory positions may not represent conditions at some future time. This report represents TechCon's judgement and opinion based on information obtained.



Section 3.0

SITE DESCRIPTION

- 3.1 Location:** The subject site, 2420 East 29th Avenue, consists of a rectangular-shaped parcel of land located at the southwest corner of the intersection of 29th Avenue and Southeast Boulevard (see photograph 1), within the City and County of Spokane, Washington. The site, according to the City of Spokane Planning Department is in an area zoned as O-35. "The office zoning category is located in areas designated office on the land use plan map of the comprehensive plan. The office (O) zone is used on small sites in or near residential areas or between residential and commercial areas. It is intended to be a low intensity office zone that allows for small-scale offices in or adjacent to residential neighborhoods. The allowed uses are intended to serve nearby neighborhoods and/or have few detrimental impacts on the neighborhood. Development is intended to be of a scale and character similar to nearby residential development to promote compatibility with the surrounding area." (City of Spokane Zoning Code)

An area map and a 2008 aerial photograph, both located in *Appendix A* at the end of this report, show the property's location and configuration.

Legal Description: The legal description provided to the assessor for the subject site is as follows:

Parcel "A" of Howard Short Plat No. 90-02, According to Plat recorded in Volume 7 of Short Plats, Page 68, in the City of Spokane, Spokane County, Washington; Except the North 8.50 feet as conveyed to the City of Spokane by Deed recorded September 9, 1996 under Recording No. 4033291.	Tax Parcel No. 35331.3901
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3.2 Site and Vicinity Characteristics: A survey of the adjacent properties shows the general area is a combination of neighborhood commercial retail businesses, professional offices, and multi-family residential. The generalized area along arterial roads surrounding the subject site has been in the process of redevelopment over approximately the last 20 years from mostly residential uses that were characteristic of the area beginning in the early 1900s to more commercial use. Southeast Boulevard, at the east boundary of the site, was relatively recently converted from a primarily residential access street into an arterial road that has attracted more intense commercial development along the frontage. Visual observation did not uncover indications the current properties or businesses in the immediate vicinity would have environmental problems that would impact the subject site.

3.3 Site Description: The 22,512-square foot subject site is a single tax parcel fully-developed with a professional medical office building. The site has approximately 119 linear feet along the south boundary, and approximately 196 linear feet along the east and west boundaries. A small triangular piece at the northeast corner of the site has been conveyed to the City of Spokane to facilitate a turn lane from 29th Avenue onto Southeast Boulevard.

The professional office building on the site is reported to have a footprint of approximately 3,800-square feet. It is a single-story frame structure that was originally constructed in 1966, and extensively remodeled in 1984. The two-level subject building has been constructed on a sloping site so that both the upper and the lower levels are accessed from grade-level parking lots (see photographs 1, 3 and 5). One parking lot is located between the building and 29th Avenue (see photograph 4) and one is located on the south side of the building (see photograph 7). Most of the site not covered by building is asphalt-paved for vehicle parking and circulation. There is minimal landscaping and the site has direct access from both 29th Avenue and Southeast Boulevard.



At the time of the site reconnaissance, the upper level of the office building was approximately half occupied by a dental office (see photographs 13, 14 and 15). The other half of the upper level was finished office space that was last occupied by an eye doctor. The lower level is divided into two areas, one finished as office space (see photographs 19 and 20), and one that is a combination of a garage area (see photograph 17) and unfinished space used for general storage (see photograph 18). The garage area is accessed through overhead doors on the east wall of the lower level.

3.3.1 Water, Wastewater, and Sewer Service: Natural gas, electricity, and City of Spokane municipal water and sewer services are connected to the site.

A Plat Map and an Area Map showing the location of the property are provided in *Appendix A*. Photographs of the site showing property conditions are shown in *Appendix B*.

3.4 Prior Knowledge: The Site Assessor was not given any information by the owner of the site, Larry E. Howard, as Trustee for the Howard Living Trust, or the user of this report, Steve Schmautz, regarding any knowledge of past or present environmental conditions at the subject site. Mr. Howard completed a Pre-Assessment Questionnaire in May of 2009, and none of the responses to questions in that document identified a recognized environmental condition at the site. A copy of the completed questionnaire is located in *Appendix A*.

3.5 Current Uses: The site is currently fully-developed as professional medical offices. A portion of the upper floor is occupied by a dental office. The vacant portion of the upper floor was previously occupied by an eye doctor. The lower level of the building is currently vacant and used for general records and personal items storage.



3.6 Past Uses: Beginning in the 1920s, a residence/greenhouse and/or florist business was operating on the site. The subject building was remodeled in 1984, for use as an office building.

3.7 Current and Past Uses of Adjoining Properties: The adjoining properties are described below:

3.7.1 South Adjoining Property - The south boundary (see photograph 9) of the subject site is adjacent to the location of a relatively new *Banner Bank* branch. South of the bank is a medical office building. A visual survey of this area did not reveal conditions of immediate environmental concern to the subject site.

3.7.2 West Adjoining Property - The west boundary of the subject site (see photograph 6) is paralleled by a dirt and gravel surfaced alley and beyond the alley is a vacant lot. West of the vacant development lot is the relatively new *Rockwood Medical Clinic*. A visual survey of these areas did not reveal conditions of environmental concern to the subject site.

3.7.3 East Adjoining Property - The east boundary of the subject site is paralleled by Southeast Boulevard (see photograph 2), an asphalt-paved City of Spokane arterial roadway. Beyond Southeast Boulevard to the east are a retail center and a *Bank of America* branch. A visual survey of these areas did not reveal conditions of environmental concern to the subject site.

3.7.4 North Adjoining Property - The north boundary of the subject site is paralleled by 29th Avenue (see photograph 12), an asphalt-paved City of Spokane multi-lane arterial roadway. On the northeast corner of 29th Avenue and Southeast Boulevard



is a *Safeway* retail center. On the northwest corner is a *Washington Trust Bank* branch. A visual survey of these areas did not reveal conditions of immediate environmental concern to the subject site.



Section 4.0

RECORDS REVIEW

4.1 Regulatory Agency Review: TechCon reviewed federal and state environmental data bases. The data collected are those sites which are registered with governmental agencies and which fall within the ASTM radius search guideline of the project site. Table 4.1 summarizes the information found. A copy of the Regulatory Map, which shows the locations with reference to the property, is included in *Appendix A*.

TABLE 4.1. STATISTICAL SITE INFORMATION

Database	Radius(Mi)	Property	Property-1/4	1/4-1/2	1/2-1	Total
NPL	1	No	0	0	0	0
CERCLIS	.5	No	0	0	0	0
MTCA	1	No	0	0	0	0
ERNS	Property	No	0			0
LUST	.5	No	0	0		0
UST	P/A	No	0			0
MWF	.5	No	0	0	0	0
RCRA	P/A	No	2	1	0	3
RCRA Non-CORRACTS TSD	.5	No	0	0	0	0
RCRA CORRACTS	1	No	0	0	0	0
TOTAL			2	1	0	3
▲ NPL (National Priorities List)			▲ MWF(Municipal Waste Facility)			
▲ CERCLIS (Comprehensive Environmental Response, Compensation and Liability Information System)			▲ RCRA (Resource Conservation and Recovery Act)			
▲ ERNS (Emergency Response Notification System)			▲ LUST (Leaking Underground Storage Tank)			
▲ UST (Underground Storage Tank)			▲ P/A (Property and Adjoining Property)			
▲ MTCA (Model Toxics Control Act Site)			▲ CORRACT-(RCRA sites subject to corrective action)			



Within the ASTM search parameters, the following sites were found during the database search:

4.1.1 MTCA Sites - 0. *Definition:* MTCA is an acronym for Model Toxics Control Act. Sites on the MTCA list are undergoing, have undergone, or are scheduled for investigation by the Washington State Department of Ecology for possible hazardous substance contamination. Once remedial action has been completed, the Toxic's Cleanup Program's management determines the removal of the site from the MTCA list. The Hazardous Sites List is a subset of the Confirmed and Contaminated Sites List. It contains those contaminated sites that have been ranked using the Washington Ranking Method.

Findings: Within a one mile radius of the property, no sites are registered with the State of Washington Department of Ecology (Ecology), and published on a list reviewed November 30, 2009.

4.1.2 LUST Sites - 0. *Definition:* LUST is an acronym for leaking underground storage tank. A list of LUST sites is maintained by the Washington State Department of Ecology.

Findings: Agency records reviewed November 30, 2009, showed no reported leaking underground storage tank sites within one-half mile of the subject site.

4.1.3 CERCLIS Sites - 0. *Definition:* CERCLIS is an acronym for Comprehensive Environmental Response, Compensation, and Liability Information System. Sites in the CERCLIS area are expected to be investigated by the Federal EPA for hazardous substance contamination and for possible inclusion on the NPL.



Findings: Federal databases reviewed November 30, 2009, revealed no CERCLIS sites within one-half mile of the subject site.

- 4.1.4** CERCLIS NPL Sites - 0. *Definition:* NPL is an acronym for National Priorities List. It is compiled by the EPA and includes the highest priority sites undergoing or scheduled for cleanup under the federal Superfund program.

Findings: According to federal records reviewed November 30, 2009, there are no NPL sites in the vicinity of the subject property.

- 4.1.5** RCRA Sites - *Definition:* RCRA is an acronym for Resource Conservation and Recovery Act. The RCRA list tracks the status of registrations, permits, reports, inspections, enforcement activities, and financial data of those sites which use, store, generate or transport hazardous materials.

- 4.1.5.1** CORRACT Sites - 0. *Definition:* CORRACT sites are those RCRA sites that have required corrective action.

Findings: EPA records reviewed November 30, 2009, showed no RCRA CORRACT sites within one mile of this site.

- 4.1.5.2** RCRA TSD Sites - 0. *Definition:* RCRA TSD is an acronym for those RCRA sites which treat, store or dispose hazardous waste as defined in the Resource Conservation and Recovery Act. Such facilities are listed with the EPA.



Findings: EPA records reviewed November 30, 2009, showed no RCRA TSD sites within one-half mile of this site.

4.1.5.3 RCRA Generators - 3. *Definition:* RCRA generators are those sites which generate hazardous waste as defined in the Resource Conservation and Recovery Act. Such sites are listed with the EPA.

Findings: EPA records reviewed November 30, 2009, showed the following sites in the vicinity of the subject property are currently on the RCRA generator list. Neither the subject site nor any immediately adjacent site is on the RCRA generator list.

- ▲ *Precision Tune 29th Spokane* - 2525 East 29th Avenue, Spokane, WA - The EPA describes this site as a conditionally exempt small quantity generator of hazardous waste. See Map Code 1.
- ▲ *United Auto Technicians* - 2925 South Mt. Vernon Street, Spokane, WA - The EPA describes this site as a conditionally exempt small quantity generator of hazardous waste. See Map Code 2.
- ▲ *Classic Cleaners 2-* 3005 East 29th Avenue, Spokane, WA - The EPA describes this site as a conditionally exempt small quantity generator of hazardous waste. However, this business is no longer located at this address, which is a part of the subject site. See Map Code 3.



“A generator is a conditionally exempt small quantity generator in a calendar month if he generates no more than 100 kilograms of hazardous waste in that month. A conditionally exempt small quantity generator may either treat or dispose of his acute hazardous waste in an on-site facility or ensure delivery to an off-site treatment, storage or disposal facility.” (US Environmental Protection Agency)

There are numerous businesses in the vicinity which use products which if improperly handled and/or disposed by those businesses could be an issue.

- 4.1.6** MWF - 0. *Definition:* MWF is an acronym for municipal waste facility. The Washington State Department of Ecology maintains a list of solid waste landfills in the state.

Findings: Database review showed no municipal waste facilities within the vicinity of the subject site.

- 4.1.7** ERNS Sites - 0. *Definition:* ERNS is an acronym for Emergency Response Notification System. The ERNS list provides the locations of hazardous spills reported to the federal emergency response system.

Findings: No sites on the subject property were on the ERNS list.

- 4.1.8** UST Sites - 0. *Definition:* UST Sites are those sites registered with the State of Washington as currently or formerly having underground storage tanks on-site.



Findings: Neither the subject site nor any immediately adjacent sites are listed in the State of Washington UST database reviewed November 30, 2009.

4.2 Region Physiographic Conditions: The surface features of the Spokane area are the result of several geological events which include basalt flows, glaciation and regional flooding.

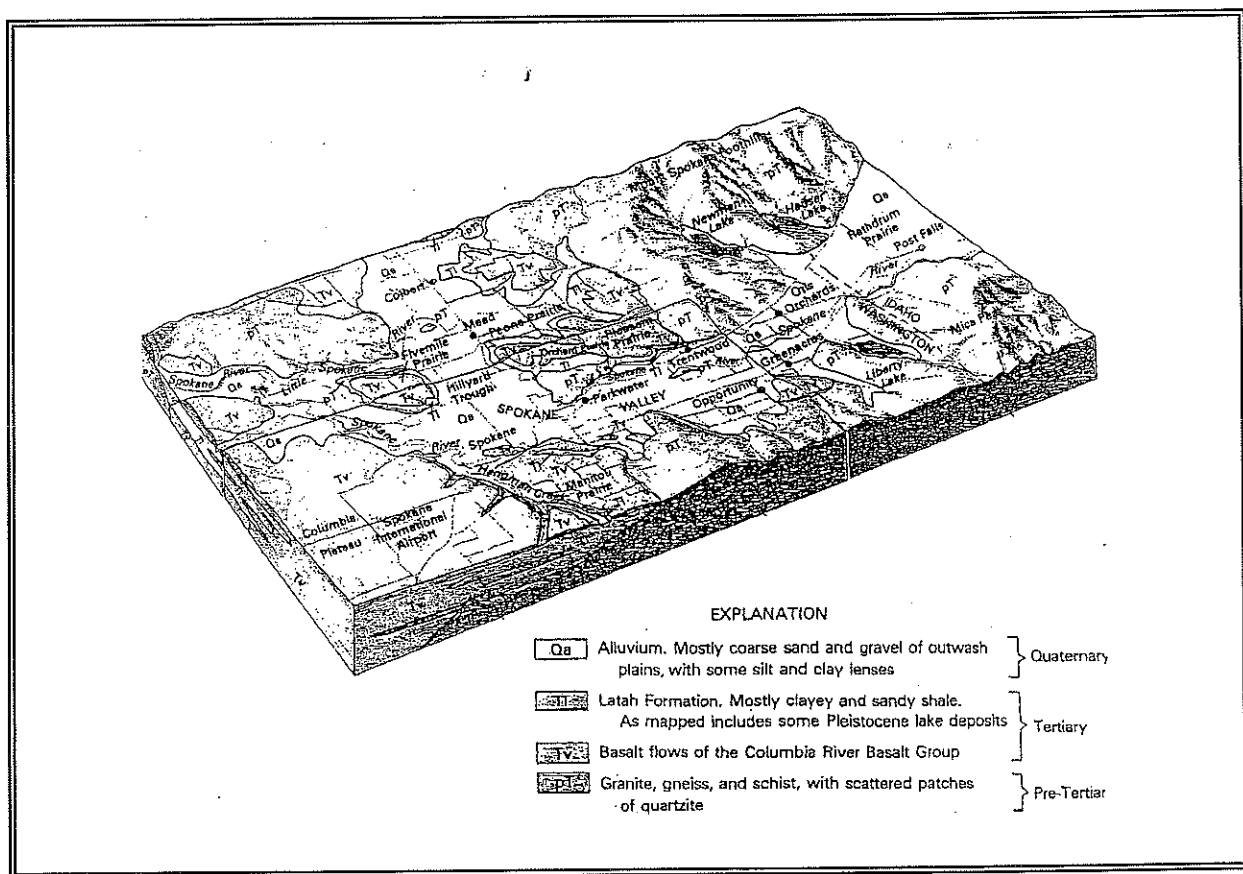
4.2.1 Basalt Flows - Bedrock in this area consists of late Miocene age (from 5 to 24 million years ago) basalt flows of the Columbia River Group. The Spokane area is near the eastern fringe of these flows. In general, the local basalt is several hundred feet thick and interbedded with light-colored sandy, clayey sediments of the Latach formation. Basalt outcrops can be seen in numerous locations in the Spokane area.

Following the deposit of the basalt, the ancestral Spokane River cut its course in what is essentially its present valley between the Idaho border and the City of Spokane. The deep valley thus formed was the trough into which were subsequently deposited glacial outwash sand and gravel, then the coarser sand and gravel of the Spokane Floods that today form the Spokane aquifer.

4.2.2 Glaciation - Between 10,000 and 2 million years ago during the Pleistocene Epoch (Ice Age), the Earth's climate underwent periods of alternate cooling and warming. This resulted in at least four to six major glaciations which affected this area. The Spokane area was covered partially by ice lobes. Melt-water streams draining these lobes carried large quantities of sand, gravel, silt, and clay and deposited these in and along the Spokane Valley. Eventually, the last ice lobe retreated into the valley of the north-flowing Clark Fork River, northeast of the Spokane Valley and formed a massive ice dam across the valley. As melt waters from other ice lobes far up the Clark Fork River drainage became ponded behind the ice dam, Glacial Lake Missoula was formed.



4.2.3 Flooding - Eventually the ice dam was breached and the dam gave way completely. The resulting rapid draining of 500-cubic-mile Glacial Lake Missoula resulted in a maximum discharge across the Columbia Plateau of 750 million cubic feet per second (cf/s) -- 20 times the combined flow of all the rivers of the world today. When the flood waters passed through the Rathdrum Prairie-Spokane Valley area, the flood waters carried large volumes of rock debris and sediment of all sizes from clay particles to large cobbles and boulders. These flood deposits form the present highly permeable aquifer beneath the Spokane Valley.



4.2.3 Topographical Conditions: The US Geological Survey (USGS) Topographic Map, Spokane NE, WA Quadrangle shows the elevation on the property, at the north



boundary with 29th Avenue, to be approximately 2340 feet above sea level. The general vicinity has a basic slope down to the south and east.

4.2.4 Soil Conditions: Soils are classified by the U.S. Department of Agriculture (USDA) and the American Society for Testing and Materials (ASTM).

The subject site is in an area where the USDA classifies the soil as being in a transition zone HoB, Hesseltine Silt Loam, moderately deep, 0 to 8 percent slopes, and NcA, Narcisse Silt Loam, 0 to 5 percent slopes. Observation of visible soils in the area tends to verify this classification. A copy of the 2009 USDA Natural Resources and Conservation Services Web Soil Survey is included in *Appendix A*.

4.2.5 Groundwater Conditions: The depth to groundwater at the property is estimated to be 80-100 feet. Groundwater could be expected to flow south. The nature of fractured basalt rock found in the subsurface can cause wide variation in groundwater depth and direction in the immediate vicinity of the subject site. The subject site lies south of the boundaries of the Spokane Valley/Rathdrum Prairie Aquifer which stretches from northern Idaho to Spokane and lies within the Spokane Valley physiographic feature of the State of Washington.

4.2.6 Flood Plain Conditions: Based on publicly available information, the property is not shown to be in a flood plain area.

4.2.7 Wetland Conditions: Based on publicly available records at the Washington State Department of Ecology and the Spokane County Planning Department Critical Areas Division, there were no wetland conditions identified on or adjacent to the subject site. The federal, state and local jurisdiction wetland maps that were



available for review identified no wetlands on or adjacent to the subject site. No wetland conditions were observed on or adjacent to the subject site.

4.3 Historical Review: The following local agency files or historical records were reviewed in the preparation of this report:

4.3.1 Original Construction/Development - Metsker Maps, Sanborn Maps, historical atlases, aerial photos, Polk Directories, Title Company files, Fire Department records, and Spokane City and County records were among those documents reviewed to obtain historical information about the property.

- ▲ *Polk City Directories and historic phone records* - City Directories were checked at five year intervals beginning with 1929, the first available directory. The following listings were noted:

1929	Angelo Lavagetto, florists
1934	Rockwood Greenhouse
1940	Rockwood Greenhouse, florist & nurseryman
1950-1980	Angelo's Flowers & Rockwood Greenhouse
1985	Larry E. Howard, dentist
1990-1995	Larry E. Howard & Southside Vision Associates
2001	N/E

N/E = No Entry

- ▲ *Sanborn Maps* - No Sanborn Map coverage was available for the area of the subject site. Data failure occurred.



- ▲ *Fire Department Records* - Records concerning underground storage tanks and environmental responses to this site were requested from the Spokane Fire Department. The discovered records indicated that a 550-gallon gasoline tank was installed at a site with the subject property address in 1958, for *Derry Oil Company*. Those same records indicated that a 1,500-gallon diesel tank and a 500-gallon gasoline tank were removed from a site with the subject property address in 1986. However, it is shown in other records that prior to 1991, the subject site was part of a much larger parcel that supported the past greenhouse operations and the existing building was at the far northeast corner of the larger parcel. A telephone interview with Larry Howard verified that the identified tanks were located toward the south end of the larger parcel, almost two blocks away. He observed the removal of the tanks on that south parcel. These tanks are not a recognized environmental condition for the subject site. There were no records of emergency responses to the subject site.

- ▲ *Metsker Maps* - The historical maps show the subject site was unplatted land prior to the creation of Howard Short Plat #90-02, in 1991. The maps show the site being just north of the platted GARDEN PARK ADDITION, on the south side of 29th Avenue, but they do not indicate specific development. Locations of railroad lines, major roadways, Hangman Creek and the Spokane River were identified with relationship to the subject site. However, nothing identified on these maps indicated an environmental concern for the subject site.

- ▲ *Aerial Photographs* - The 1962, 1979, 1992 and 2008 aerial photographs of the property show development consistent with other historical records.



The 1962 photograph shows residences in place to the west of the subject site, and what appears to be a small access road is in the location that is now adjacent Southeast Boulevard. That road curves to the west south of the subject site to serve the residences and the southern greenhouse structures. All of the subject site and the adjacent area to the south were part of the greenhouse and nursery business.

The 1979 photograph shows the subject building in place and many of the same greenhouse and nursery structures are still in place. The 1992 photograph shows the building on the site in the current configuration and consistent with building department records and other documents. The 2008 photograph shows the current configuration of the subject site and the adjacent sites. No recognized environmental conditions were discovered in the review of the aerial photographs.

- ▲ *Spokane City Records* - Building Department records were consistent with other records regarding residential and greenhouse development history at the subject site. The records, dating back to 1923, verified that the site has been connected to city sewer and water since at least 1935. The existing structure on the site was connected to city sewer in 1966.

The existing building was given a non-conforming use Certificate of Occupancy, based on the flower shop being combined with a residence. After the substantial remodel of the building for professional office space, Larry Howard was issued a Certificate of Occupancy for a dental office on April 27, 1984. Copies of selected documents are included in *Appendix A*.



- ▲ *Spokane County Assessor's Records* - Field book records at the County Assessor's Offices contained field sketches and historical descriptions of the property and the existing building. The sketches were consistent with the current configuration of the site
- ▲ *Title Company* - The property file review was conducted back to 1940 was accomplished at the offices of First American Title Insurance Company. There were no leases or ownerships of record discovered that indicate an environmental concern for the subject site. Additionally, a Commitment for Title Insurance for the subject site, issued by First American Title Insurance Company and dated November 10, 2009, was provided to the Site Assessor for review. No environmental liens or restrictions were discovered. A copy of the title commitment is included in *Appendix A*.

4.4 Interviews: The owner of the site, Larry Howard, was interviewed by telephone on December 4, 2009. Mr. Howard related his personal knowledge of the subject site since the early 1980s. He identified the location where underground storage tanks were removed from property south of the subject site and also discussed the excavation and fill activities on the site. Nothing in the interview identified a recognized environmental condition at the subject site.

4.5 Previous Environmental Investigations: A review of the Washington State Department of Ecology files regarding the subject site was conducted. No previous reports were discovered.



Section 5.0

INVESTIGATION RESULTS

5.0 Site Observations: Site reconnaissance was performed to determine if *recognized environmental conditions* were present at the property or adjoining properties. At the time of site reconnaissance, on November 20, 2009, the existing site conditions were favorable. The sky was mostly overcast, the ambient air temperature was approximately 40 degrees F., and the wind was light and variable. Bryan Finn, DDS, the current occupant, provided access to the subject site. The findings are discussed below.

5.1 Hazardous Substances: No visible or historical evidence was found that suggested that hazardous wastes have been used, stored or disposed on this site. The only observed possibly hazardous materials were typical maintenance and janitorial supplies (see photograph 16) stored in small quantities and consumed in the normal course of operations at the site.

5.2 Hazardous Substance Containers and Unidentified Substance Containers: No visible evidence was observed that suggested hazardous substances or unidentified substance containers have been improperly used, stored or disposed of on this site. No unidentified containers were observed.

5.3 Storage Tanks:

5.3.1 Underground Storage Tanks (USTs) - No evidence was observed that indicated present or past use of USTs at the subject site.



5.3.2 Above-Ground Storage Systems - There were no visible above-ground storage tanks observed on this site. No historical evidence of AST use was discovered. There was nominal storage of medical gas used by the dental office in an outside storage area. This is not a recognized environmental condition.

5.4 **Polychlorinated Biphenyl (PCB) Equipment:** There was no visual evidence of PCB equipment on the site. One pole-mounted electrical transformer was observed in the southwest corner of the subject site (see photograph 9). This transformer was labeled NON PCB, and appeared to be in good condition, with no signs of heat stress or leakage. This transformer is the responsibility of the utility provider and is mentioned here only as a matter of record.

5.5 **Solid Waste Disposal:** Regularly scheduled refuse pickups dispose of non-hazardous solid wastes that are collected in containers. There were no indications that hazardous solid waste has been disposed on the subject site. "Sharps" and other medical wastes generated at the site are properly disposed by the dentist.

5.6 **Physical Setting Analysis:** No physical setting issues were identified. All potentially problematic industrial and commercial uses in the immediate vicinity appear to be sufficiently separated for both surface and groundwater migration considerations.

5.7 **Sensitive Receptors:** No evidence was observed of the following sensitive receptors:

- Major underground conduits, etc.
- Monitoring and water wells



- Pits, lagoons, ponds

Two stormwater collection drywells were observed, one in the north parking area (see photograph 11) and one in the south parking area (see photograph 10). Neither of the observed drywells had visible staining or any odors that would indicate possible contamination or environmental compromise.

5.8 Drums: There was no visible evidence of present or past improper use of drums on the subject site. No drums were observed.

5.9 Surface Soil Conditions: During reconnaissance, no indications of the following conditions were observed on the surfaces of the subject site:

- ▲ Pits, ponds, or lagoons
- ▲ Unidentified substance containers
- ▲ Hazardous substances or petroleum
- ▲ Waste water with identified uses
- ▲ Discolored or stained soil

There were a few small areas of stained pavement observed on the subject site. All observed staining appeared to be surficial and associated with minor leaking of fluids from parked cars. These conditions are being evaluated as de minimus.

5.10 Pesticides and Herbicides: There was no evidence of pesticide or herbicide usage (stressed vegetation, odors) encountered during the site reconnaissance.



- 5.11 Lead-Based Paint:** Since the structure on the property was constructed prior to 1979, it is possible that some surfaces may contain lead-based paint. Testing for lead content in paint was outside of the scope of work for this assessment.
- 5.12 Asbestos-Containing Material (ACM):** Since the structure on the property was constructed prior to 1988, it is possible that asbestos-containing materials may be present. Testing for asbestos content in building materials was outside the scope of work for this assessment.
- 5.13 Urea Formaldehyde Foam Insulation (UFFI):** No visible or historical evidence was found that UFFI was used on the property.
- 5.14 Radon:** Spokane County is reported by the State of Washington to pose a moderate-to-high risk for radon impact. Since the structure on the site is commercial in use, and is not energy efficient, radon gas is probably not an issue for the site in the current configuration. Testing for radon gas was outside the scope of work for this assessment.
- 5.15 Odors:** Strong, pungent or noxious odors were not encountered during the site reconnaissance.



Section 6.0

FINDINGS AND CONCLUSIONS

- 6.1 Findings and Conclusions:** TechCon has performed a Phase I Environmental Site Assessment in substantial conformance with the scope and limitations of ASTM Practice E 1527-05 and 40 CFR Part 312 of the property as described in the legal description of Section 3.0 of this document. Any exceptions to, or deletions from this practice are described in Section 2.3 of this report. **This assessment did not discover any *current or continuing recognized environmental conditions* on the subject site. The risk of contamination is so minimal that no further investigation is recommended.**

Note: Though not classified as recognized environmental conditions under the scope of work for this investigation, there is the potential for radon, lead-based paint and asbestos to be present on the subject site. General comments concerning these issues are included within the body of this report.

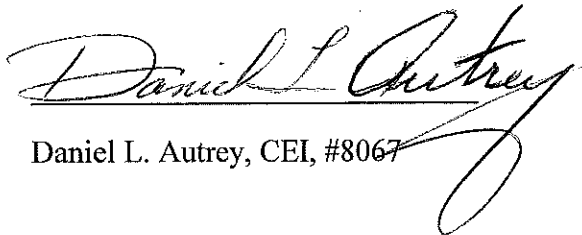


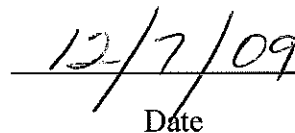
Section 7.0

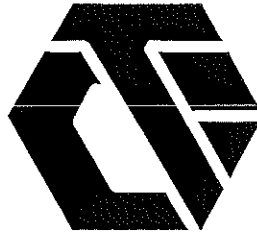
CERTIFICATIONS

- 7.0 Certification Statement:** I certify that to the best of my knowledge and belief the facts and data used in this survey are true and accurate, based on currently accepted and available information as of the survey date; that I personally surveyed the subject property; and I have no undisclosed interest, present or future in this property.

I declare that, to the best of my professional knowledge and belief, I meet the definition of *Environmental Professional* as defined in §312.10 of 40 CFR 312; and I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the “all appropriate inquiries” in conformance with the standards and practices set forth in 40 CFR Part 312.


Daniel L. Autrey, CEI, #8067


Date

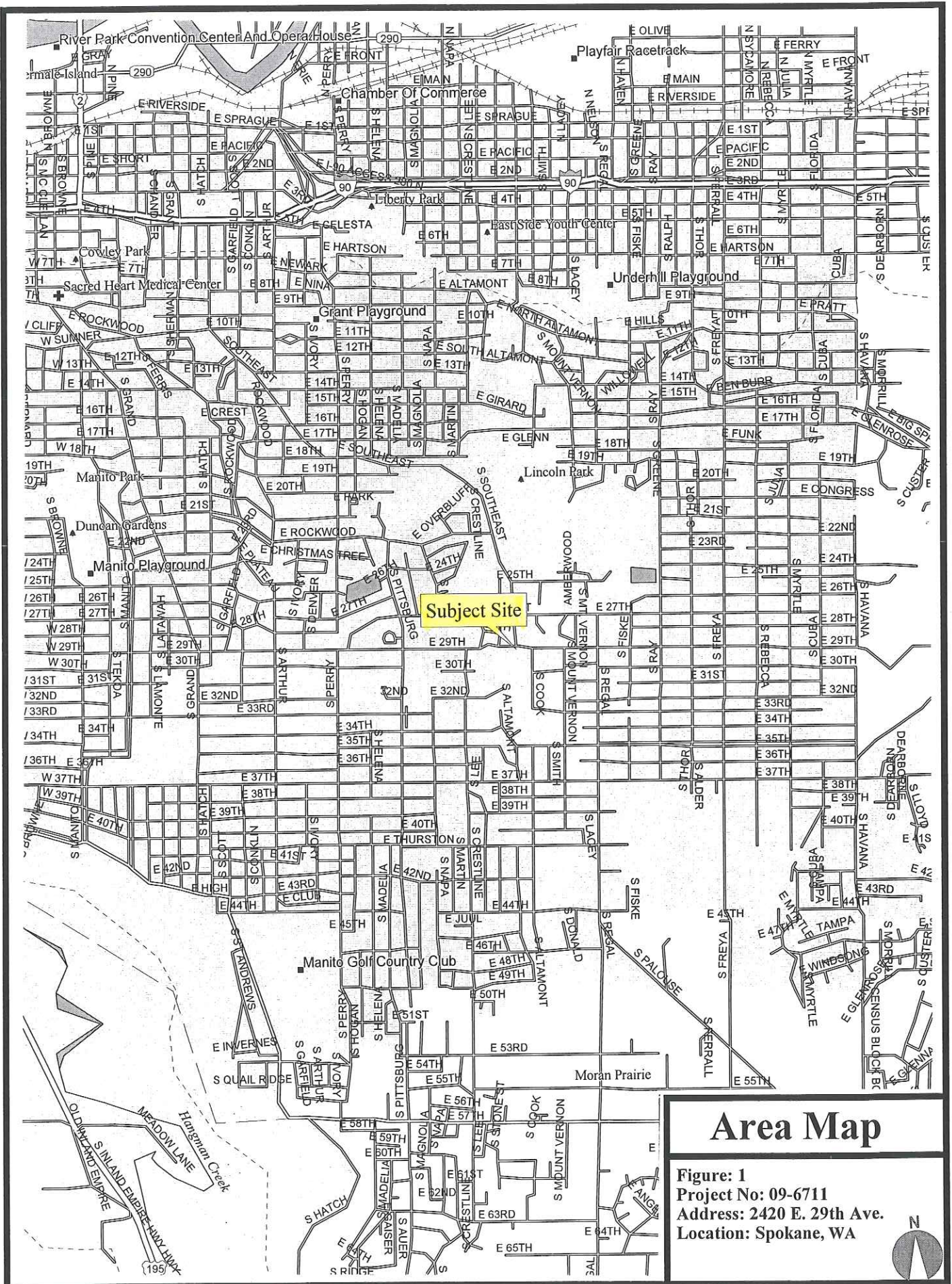


APPENDIX A

MAPS AND DOCUMENTS

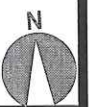
TECHCON, INC.

Consultants • Certified Environmental Specialists • Project Managers



Area Map

Figure: 1
Project No: 09-6711
Address: 2420 E. 29th Ave.
Location: Spokane, WA



Legend

RCRA Site



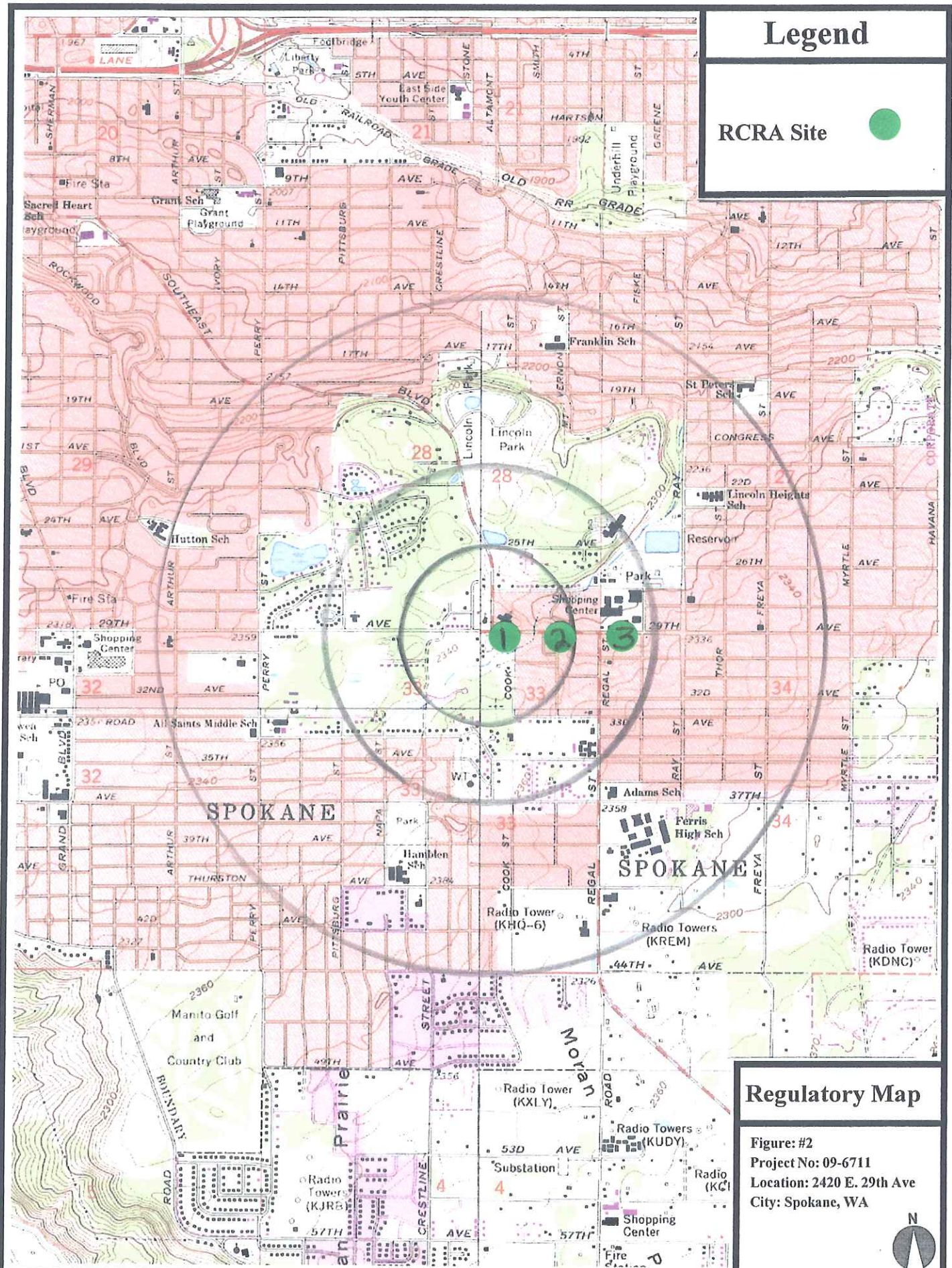
Regulatory Map

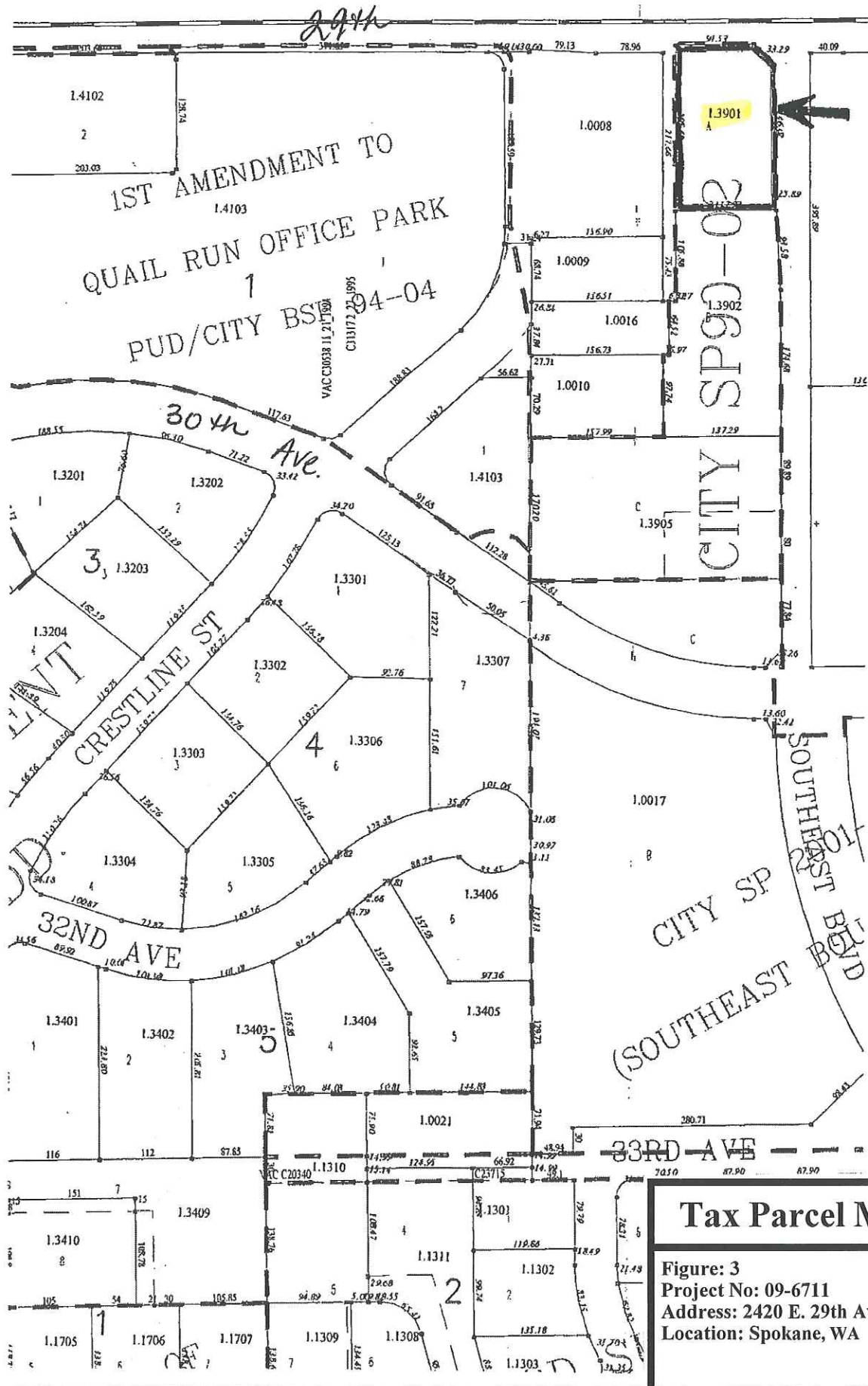
Figure: #2

Project No: 09-6711

Location: 2420 E. 29th Ave

City: Spokane, WA



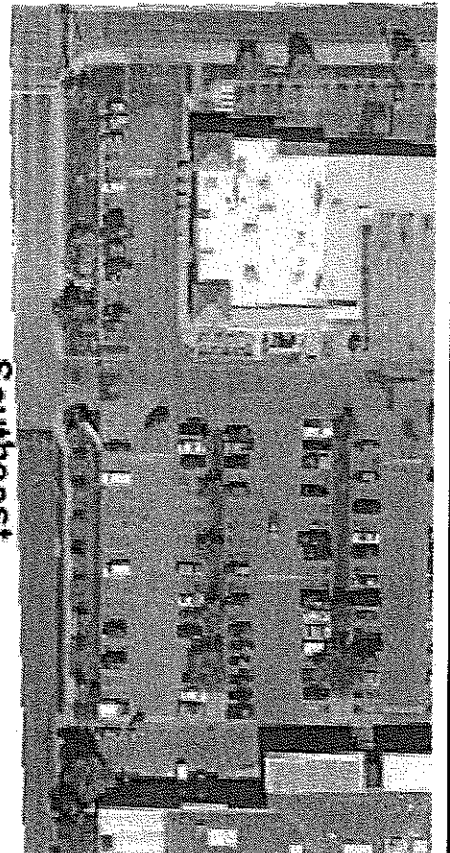
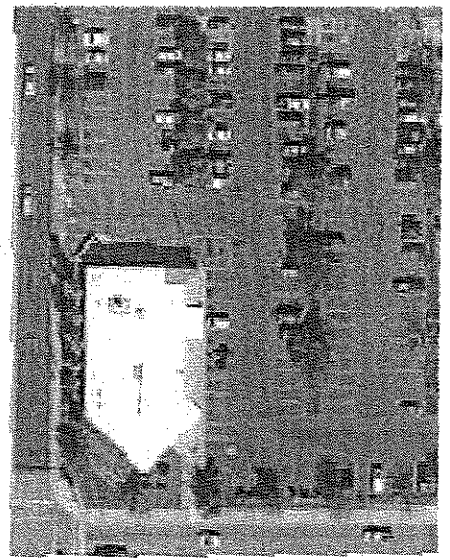
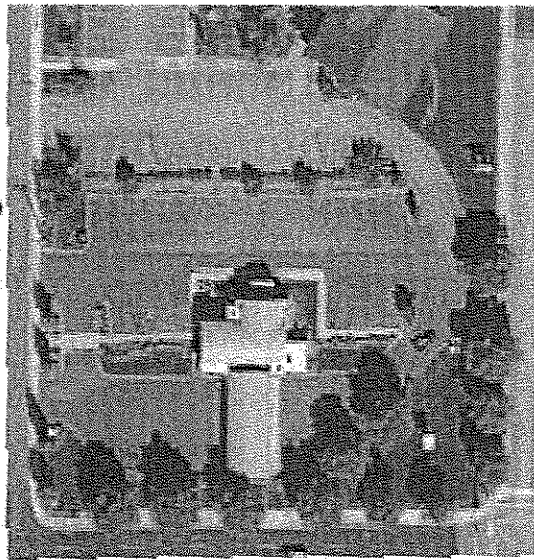
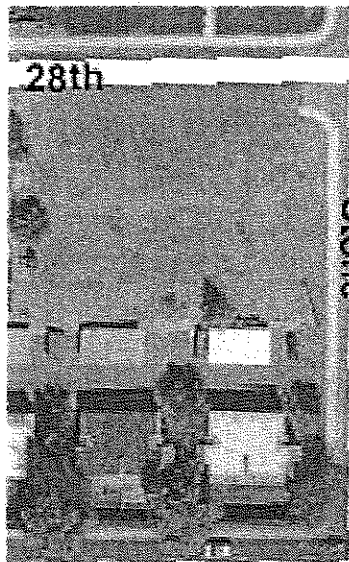




1992 Aerial Photograph

Figure: 5
Project No: 09-6711
Address: 2420 E. 29th Ave.
Location: Spokane, WA





2008 Aerial Photograph












































Figure: 6
Project No: 09-6711
Address: 2420 E. 29th Ave.
Location: Spokane, WA



Soil Map—Spokane County, Washington



MAP LEGEND

	Area of Interest (AOI)		Very Stony Spot
	Soils		Wet Spot
	Soil Map Units		Other
	Special Point Features		Special Line Features
	Blowout		Gully
	Borrow Pit		Short Steep Slope
	Clay Spot		Other
	Closed Depression		Political Features
	Gravel Pit		Cities
	Gravelly Spot		Water Features
	Landfill		Oceans
	Lava Flow		Streams and Canals
	Marsh or swamp		Transportation
	Mine or Quarry		Ralls
	Miscellaneous Water		Interstate Highways
	Perennial Water		US Routes
	Rock Outcrop		Major Roads
	Saline Spot		Local Roads
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		
	Spoil Area		
	Stony Spot		

MAP INFORMATION

Map Scale: 1:1,800 if printed on A size (8.5" x 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:20,000. Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: UTM Zone 11N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Spokane County, Washington
 Survey Area Data: Version 1, May 3, 2006

Date(s) aerial images were photographed: 6/27/2006; 7/2/2006

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Spokane County, Washington (WA063)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
HoB	Hesseltine silt loam, moderately deep, 0 to 8 percent slopes	6.2	50.0%
HvC	Hesseltine very rocky complex, 0 to 30 percent slopes	0.2	1.2%
NcA	Narcisse silt loam, 0 to 5 percent slopes	6.1	48.8%
Totals for Area of Interest		12.4	100.0%

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TECHNICAL CONSULTANTS



PRE-ASSESSMENT QUESTIONNAIRE

Your response to this questionnaire assists in obtaining preliminary information from the owners/operators of the property. Answers provide valuable direction for the Phase I Environmental Site Assessment investigation. If an answer to a particular question is not applicable or is unknown, please answer accordingly.

Background Data on Past and Present Uses:

1. Facility Name: _____

2. Facility Address: 2420 E. 29th Ave

Additional Historical Site Addresses: _____

3. Contact Person: Larry Howard Tel: (509) 999-1505

4. Zoning & Tax Parcel Numbers: _____

5. Property Owner(s): Howard Living Trust, Larry & Jean Howard, Trustees6. Present Tenants: Dr. Bryan Fian DDS

7. Property Size (Acres or Square Feet): _____

8. Structures on Property:

<u>Professional Office</u>	<u>Dental Office</u>	
Name	Use	Location

Name	Use	Location

Name	Use	Location

9. Utilities (sewer, water, electric, gas, etc.) Providers: Sewer, water - City of Spokane; electric & gas - Avista
10. Sewage Disposal (septic, cesspool, sewer, etc.): sewer
11. Description of Operations Conducted On-Site: Dental office
12. Previous Uses of Site (including former owners & tenants): Flower shop, Optometry office
13. Equipment on the Property:
- | Above-Ground Tanks | No | Size | Contents | Age | Type |
|--------------------|----|------|---|-----|------|
| | | | <u>O₂ & N₂O Tanks for dental office</u> | | |
-
- | Underground Tanks | No | Size | Contents | Age | Type |
|-------------------|----|------|-------------|-----|------|
| | | | <u>None</u> | | |
- Sumps: None
- Drywells: 2 - 1 on North side, 1 south side
- Clarifiers: None
- Compressors: Dental office
- Boilers: None
- Generators: None
- Other: Dental vacuum pump
14. Previous Equipment/Structures/Tanks on the property (identify individual or company responsible for removal): None
15. Hazardous Materials and Waste Management Practices on the Property:
- | | |
|----------------------------------|-------------|
| Hazardous Materials Storage: | <u>None</u> |
| Hazardous Waste Storage: | <u>None</u> |
| Hazardous Waste Treatment: | <u>None</u> |
| Hazardous Waste Disposal: | <u>None</u> |
| Hazardous Waste Recycling: | <u>None</u> |
| Industrial Waste Water Handling: | <u>None</u> |

Page 3

16. Is electrical equipment containing PCBs present on the property? If so, identify: unknown
17. Identify any wells on the property: None
18. Identify Types and Locations of Adjacent Businesses: Bank to south
19. List types and quantities of chemicals and wastes stored on-site (acids, alcohol, degreasers, etc.): Small quantity of alcohol for disinfection
- Are MSDS Sheets available? yes
20. List permits held by property owners and/or tenants, as well as Agency issuing permits: Business License - WA Dept of Revenue
21. Has an emergency spill plan been prepared and submitted to the local fire department? unknown
22. Does the facility have an EPA Hazardous Waste Generator's ID Number? unknown
If so, please provide number: _____
23. Does the facility have Hazardous Waste Manifests on file? No?
24. Has the property been identified as a "Superfund" site by the EPA or a "State Cleanup Site" under MTCA? No
25. Has a cleanup ever occurred or is the property undergoing an investigation that could result in a cleanup? If so, please describe: No

Page 4

26. List any spills or other releases of chemicals that are known or suspected to have occurred on the property: None
27. Have any Notices of Violation or other complaints regarding noncompliance with environmental regulations been issued for activities performed on the property? If so, describe: None
28. Are you aware of any environmental cleanup liens against the property that are filed under federal, tribal, state, or local law? None
29. Are you aware of any land use restrictions or institutional controls that are in place at the site and/or have been filed or recorded? None
30. As the user of this ESA, do you have any specialized knowledge or experience related to the property or nearby properties? (For example: Do you have specialized knowledge or experience with the chemicals or processes used by your business or any adjoining business?) No
31. Does the purchase price being paid reasonably reflect the fair market value of this property? If you conclude there is a difference, is the lower purchase price because contamination is known or believed to be present at the property? yes
32. Based on your knowledge or experience, are there any obvious indicators that point to the presence or likely presence of contamination at the property? No
28. Are any improvements planned for the site? unknown
If so, please describe: _____
33. Is asbestos known to be present on the property? No
34. When was the property paved? 262 + ~ 79 Has any of the pavement (asphalt or concrete) been patched or replaced? probably
35. Is a site layout available? yes

Page 5

36. Are engineering plans and specifications available? No
37. Are any previous environmental reports available? No
38. Are any aerial photographs available? No ?
39. The purpose this Phase I is being required (i.e. financing, real estate sale,
etc.) _____

To the best of my knowledge, the above information is accurate and complete.

Name: Larry Howard

Signature: Larry Howard

Title: Owner Date: 5-13-09



First American

First American Title Insurance Company
40 E Spokane Falls Blvd
Spokane, WA 99202
Phn - (509)456-0550
Fax - (866)537-9602

ESCROW COMPANY INFORMATION:

Escrow Officer/Closer: **Bette Teter**
bteter@firstam.com

First American Title Insurance Company
40 E Spokane Falls Blvd, Spokane, WA 99202
Phone: (509)835-8936 - Fax: (866)690-8931

TITLE COMPANY INFORMATION

Title Officer: **Mark S. Aspinwall**
maspinwall@firstam.com
Phone: (509)835-8944 - Fax: (866)537-9602

To: **SDS Realty Inc.**
108 N Washington St, Ste 500
Spokane, WA 99201-5001

File No.: **4251-1499587**
Your Ref No.: **Howard Living**
Trust/Schmautz

Attn: Vic Overholser

Re: Property Address: **2420 East 29th Avenue, Spokane, WA 99223**

COMMITMENT FOR TITLE INSURANCE

Issued by

FIRST AMERICAN TITLE INSURANCE COMPANY

Agreement to Issue Policy

We agree to issue a policy to you according to the terms of this Commitment.

When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

- The Provisions in Schedule A.
- The Requirements in Schedule B-I.
- The General Exceptions and Exceptions in Schedule B-II.
- The Conditions.

This Commitment is not valid without Schedule A and Section I and II of Schedule B.

SCHEDULE A

1. Commitment Date: November 10, 2009 at 7:30 A.M.

2. Policy or Policies to be issued:	AMOUNT	PREMIUM	TAX
Standard Owner's Coverage	\$ 875,000.00	\$ 2,104.00	\$ 183.05
Proposed Insured: Steve Schmautz, presumptively subject to the community interest of his spouse if married, and/or assigns			

Simultaneous Issue Rate			
Extended Mortgagee's Coverage	\$ TBD	\$ TBD	\$ TBD
Proposed Insured: TBD			

3. (A) The estate or interest in the land described in this Commitment is:

A fee simple.

(B) Title to said estate or interest at the date hereof is vested in:

Larry E. Howard and Joan M. Howard, Trustees or their successors in Trust under the Howard Living Trust

4. The land referred to in this Commitment is described as follows:

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

PARCEL "A" OF HOWARD SHORT PLAT NO. 90-02, ACCORDING TO PLAT RECORDED IN VOLUME 7 OF SHORT PLATS, PAGE 68, IN THE CITY OF SPOKANE, SPOKANE COUNTY, WASHINGTON; EXCEPT THE NORTH 8.50 FEET AS CONVEYED TO THE CITY OF SPOKANE BY DEED RECORDED SEPTEMBER 9, 1996 UNDER RECORDING NO. 4033291.

APN: 35331.3901

**SCHEDULE B
SECTION I**

REQUIREMENTS

The following requirements must be met:

- (A) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (B) Pay us the premiums, fees and charges for the policy.
- (C) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded:
- (D) You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
- (E) Releases(s) or Reconveyance(s) of Item(s):
- (F) Other:
- (G) You must give us the following information:
 - 1. Any off record leases, surveys, etc.
 - 2. Statement(s) of Identity, all parties.
 - 3. Other:

**SCHEDULE B
SECTION II**

GENERAL EXCEPTIONS

PART ONE:

- A. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
- B. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
- C. Easements, claims of easement or encumbrances which are not shown by the public records.
- D. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
- E. (A) Unpatented mining claims; (B) Reservations or exceptions in patents or in Acts authorizing the issuance thereof; (C) Water rights, claims or title to water; whether or not the matters excepted under (A), (B) or (C) are shown by the public records; (D) Indian Tribal Codes or Regulations, Indian Treaty or Aboriginal Rights, including easements or equitable servitudes.
- F. Any lien, or right to a lien, for services, labor or materials or medical assistance heretofore or hereafter furnished, imposed by law and not shown by the public records.
- G. Any service, installation, connection, maintenance, construction, tap or reimbursement charges/costs for sewer, water, garbage or electricity.
- H. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof, but prior to the date the proposed insured acquires of record for value the escrow or interest or mortgage(s) thereon covered by this Commitment.

**SCHEDULE B
SECTION II**

EXCEPTIONS

PART TWO:

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction. The printed exceptions and exclusions from the coverage of the policy or policies are available from the office which issued this Commitment. Copies of the policy forms should be read.

1. Lien of the Real Estate Excise Sales Tax and Surcharge upon any sale of said premises, if unpaid. As of the date herein, the excise tax rate for the **City of Spokane** is at **1.78 %**.
Levy/Area Code: 0010

For all transactions recorded on or after July 1, 2005:

- **A fee of \$10.00 will be charged on all exempt transactions;**
- **A fee of \$5.00 will be charged on all taxable transactions in addition to the excise tax due.**

2. General taxes for the year 2009, which have been paid.

Tax Account No.: 35331.3901

Amount: \$ 6,294.46

Assessed Land Value: \$ 270,100.00

Assessed Improvement Value: \$ 290,200.00

3. Any tax, fee, assessments or charges as may be levied by City of Spokane.

4. Easement, including terms and provisions contained therein:

Recorded: November 04, 1929

Volume/Page: 439/486; No. A13125

In Favor of: Spokane United Railways, a Corporation

For: The right to erect, construct, reconstruct and maintain one guy wire and anchor for trolley poles or structures, together with the right to inspect said line and to remove brush and trees that may interfere with the construction, maintenance and operation of the same

Affects: The East half of the Northwest quarter of the Northeast quarter of the Northwest quarter of the Northeast quarter

5. Easement, including terms and provisions contained therein:

Recorded: May 14, 1954

Recording Information: 240010B

In Favor of: The Washington Water Power Company, a corporation, its successors and assigns

For: To erect, construct, reconstruct and maintain an electrical distribution line and appurtenances

Affects: The Southwest quarter of the Northeast quarter of the Northwest quarter of the Northeast quarter

6. Easement, including terms and provisions contained therein:
Recorded: May 26, 1954
Recording Information: 242242B
In Favor of: The Washington Water Power Company, a corporation, its successors and assigns
For: To erect, construct, reconstruct and maintain an electrical distribution line and appurtenances
Affects: The Southwest quarter of the Northeast quarter of the Northwest quarter of the Northeast quarter

7. Side Sewer Agreement and the terms and conditions thereof:
In Favor Of: The City of Spokane
Dated: April 18, 1956
Recorded: April 24, 1956
Recording Information: 383644B
Affects: The East 8 feet of the South 8 feet of the East half of the North half of the West half of the Northeast quarter of the Northwest quarter of the Northeast quarter, Except the North 30 feet; and Except the West 7.5 feet of Section 33, and the East 8 feet of the North 172 feet and the South 16 feet of the North 188 feet of the Southwest quarter of the Northeast quarter of the Northwest quarter of the Northeast quarter of Section 33, all in Township 25 North, Range 43 East, W.M.

Wherein owner agrees, in consideration of special side sewer agreement, not to protest usual sewer construction to serve said property or assessment therefor.

8. Agreement and the terms and conditions thereof:
Between: Larry E. Howard
And: The City of Spokane
Dated: July 20, 1983
Recorded: September 20, 1983
Recording Information: 8309200185; Volume 657, Page 945
Regarding: Zoning restrictions

9. Agreement and the terms and conditions thereof:
Between: Larry E. Howard
And: The City of Spokane
Dated: July 20, 1983
Recorded: September 20, 1983
Recording Information: 8309200186; Volume 657, Page 948
Regarding: Zoning restrictions

10. Deed of Trust and the terms and conditions thereof.
Grantor/Trustor: Larry E. Howard and Kathleen M. Howard, husband and wife
Grantee/Beneficiary: Greater Spokane Business Development Association
Trustee: Spokane County Title
Amount: \$248,000.00
Dated: April 10, 1985
Recorded: April 12, 1985
Recording Information: 8504120124
Volume/Page: 745/1911

According to the public records; the beneficial interest under the deed of trust was assigned to U.S. Small Business Administration by assignment recorded April 12, 1985 as 8504120125 of Official Records.

The Deed of Trust/Mortgage was Partially reconveyed as to property not under search by instrument recorded under recording no. 8909070003.

The Deed of Trust/Mortgage was Partially reconveyed as to property not under search by instrument recorded under recording no. 4051711.

11. Easement, including terms and provisions contained therein:

Recorded: January 02, 1990
Recording Information: 9001020034
Volume/Page: 1083/1001
In Favor of: The Washington Water Power Company, a corporation, its successors and assigns
For: To erect, construct, reconstruct and maintain an electrical distribution line and appurtenances

Said Easement Recites: It is understood and agreed that said easement covers the right of conductor overhang over the Northerly portion of the above described property.

12. Any and all offers of dedication, conditions, restrictions, easements, fence line/boundary discrepancies, notes and/or provisions shown or disclosed by Howard Short Plat No. 90-02 recorded in Volume 7 of Short Plats, Page(s) 68.

13. Street Paving Agreement and the terms and conditions thereof:

Between: City of Spokane, a municipal corporation
And: Dr. Larry E. Howard
Dated: April 11, 1991
Recorded: May 31, 1991
Recording Information: 9105310087; Volume 1194, Page 601

14. A financing statement

Date Recorded: September 23, 2002
Recording No.: 4776096
Debtor: Bryan K. Finn, DDS, PS
Secured Party: Washington Trust Bank

A continuation statement was recorded June 08, 2007 as 5547496 of Official Records.

15. Lease and the terms and conditions thereof as disclosed by Memorandum of Lease.

Lessor: Larry E. Howard and Joan M. Howard, Trustees for Howard Living Trust
Lessee: Bryan K. Finn, DDS, P.S.
Recorded: January 16, 2007
Recording Information: 5485164

16. Terms and conditions of the The Howard Living Trust, under which title is vested.

Larry E. Howard and Joan M. Howard are authorized to sign as Trustees on behalf of said trust.

17. Unrecorded leaseholds, if any, rights of vendors and security agreement on personal property and rights of tenants, and secured parties to remove trade fixtures at the expiration of the term.
18. According to the application for title insurance, title is to vest in Steve Schmautz. If said party is married and we are to insure title as such, free of any interest of the spouse, we will require a deed of conveyance from the non-participating spouse.
19. Title is also to vest in persons shown as "and/or assigns" on the application for title insurance, whose identity has not been revealed and when so vested will then be subject to matters which may be disclosed by a search of the records against their names.

INFORMATIONAL NOTES

This property may be subject to a charge by Spokane County for sewer construction, referred to as a Capital Facilities Rate (CFR). This charge is in addition to the monthly charge for sewer services. Please contact the Division of Utilities Billing Section at (509) 477-3604, for further information.

- A. Effective January 1, 1997, and pursuant to amendment of Washington State Statutes relating to standardization of recorded documents, the following format and content requirements must be met. Failure to comply may result in rejection of the document by the recorder.
- B. Any sketch attached hereto is done so as a courtesy only and is not part of any title commitment or policy. It is furnished solely for the purpose of assisting in locating the premises and First American expressly disclaims any liability which may result from reliance made upon it.
- C. The description can be abbreviated as suggested below if necessary to meet standardization requirements. The full text of the description must appear in the document(s) to be insured.

PTN PARCEL "A", HOWARD SP NO. 90-02, VOL. 7, P. 68, SPOKANE COUNTY

APN: 35331.3901

Property Address: **2420 East 29th Avenue, Spokane, WA 99223**

NOTE: The forthcoming Mortgagee's Policy will be the ALTA 2006 Policy unless otherwise noted on Schedule A herein.

NOTE: A FEE WILL BE CHARGED UPON THE CANCELLATION OF THIS COMMITMENT PURSUANT TO WASHINGTON STATE INSURANCE CODE AND THE FILED RATE SCHEDULE OF THIS COMPANY.

CONDITIONS

1. DEFINITIONS

(a)"Mortgage" means mortgage, deed of trust or other security instrument.

(b)"Public Records" means title records that give constructive notice of matters affecting the title according to the state law where the land is located.

2. LATER DEFECTS

The Exceptions in Schedule B - Section II may be amended to show any defects, liens or encumbrances that appear for the first time in the public records or are created or attached between the Commitment Date and the date on which all of the Requirements (a) and (c) of Schedule B - Section I are met. We shall have no liability to you because of this amendment.

3. EXISTING DEFECTS

If any defects, liens or encumbrances existing at Commitment Date are not shown in Schedule B, we may amend Schedule B to show them. If we do amend Schedule B to show these defects, liens or encumbrances, we shall be liable to you according to Paragraph 4 below unless you knew of this information and did not tell us about it in writing.

4. LIMITATION OF OUR LIABILITY

Our only obligation is to issue to you the Policy referred to in this Commitment, when you have met its Requirements. If we have any liability to you for any loss you incur because of an error in this Commitment, our liability will be limited to your actual loss caused by your relying on this Commitment when you acted in good faith to:

comply with the Requirements shown in Schedule B - Section I
or

eliminate with our written consent any Exceptions shown in Schedule B - Section II.

We shall not be liable for more than the Policy Amount shown in Schedule A of this Commitment and our liability is subject to the terms of the Policy form to be issued to you.

5. CLAIMS MUST BE BASED ON THIS COMMITMENT

Any claim, whether or not based on negligence, which you may have against us concerning the title to the land must be based on this commitment and is subject to its terms.



First American

First American Title Insurance Company
40 E Spokane Falls Blvd
Spokane, WA 99202
Phn - (509)456-0550
Fax - (866)537-9602

PRIVACY POLICY

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

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FIRST AMERICAN TITLE INSURANCE COMPANY
Exhibit "A"

Vested Owner: Larry E. Howard and Joan M. Howard, Trustees or their successors in Trust under the Howard Living Trust

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

PARCEL "A" OF HOWARD SHORT PLAT NO. 90-02, ACCORDING TO PLAT RECORDED IN VOLUME 7 OF SHORT PLATS, PAGE 68, IN THE CITY OF SPOKANE, SPOKANE COUNTY, WASHINGTON; EXCEPT THE NORTH 8.50 FEET AS CONVEYED TO THE CITY OF SPOKANE BY DEED RECORDED SEPTEMBER 9, 1996 UNDER RECORDING NO. 4033291.

Tax Parcel Number: 35331.3901

Situs Address: 2420 East 29th Avenue, Spokane, WA 99223

BUYER

SELLER

BUYER

SELLER



FIRST AMERICAN TITLE

Metroscan Property Profile



Parcel #	: 35331 3901	Bldg #	: of 1	Total	: \$560,300
Owner	: Howard Larry E/Joan M Trustees	Land	: \$270,100	Struct	: \$290,200
CoOwner	: Howard Living Trust	%Imprvd	: 52	Excise#	: 16608
Site	: 2420 E 29th Ave Spokane 99223	Exempt	:	Type	:
Mail	: 16616 E 44th Ave Greenacres Wa 99016	TaxDist	: 0010 Spokane	2009 Tax	: \$6,294.46
TxpyrNam	: Howard Living Trust	IrrTax	:	SWTax	:
TxpyrAdd	: 16616 E 44th Ave Greenacres Wa 99016	TaxRate	: .011225156340298	School	: SPOKANE
Xfered	: 12/12/1997	Doc #	: 4169183 M	S: 33 T: 25N R: 43E Q: NE	
Price	:	Deed	: Warranty	<u>Phone</u>	
Pr Xfer	: 11/23/1983	PrDoc#	: 2405	Owner	:
Pr Price	: \$250,000			Tenant	:
Land Use	: 65 Com,Service,Professional				
Legal	: 33-25-43 TR A OF CITY SP 90-02				
	: AUDITORS #9106140225 BEING A PTN				
	:				
Nghbrhd	: 35331				
Census	: Tract : 47.00	Block	: 4		

Bedrooms	:	Living SF	:	Lot Acres	: .52
TotlBaths	: 1.00	Bldg SF	: 3,380	Lot SF	: 22,512
HalfBaths	: 2	Bsmt %	:	Lot Dimens	:
FullBaths	:	BsmtFin %	:	Garage	:
Air Cond	: None	Stories	:	Garage SF	:
Heating	:	Attic	:	Deck	:
HeatSource	:	Quality	: Avg	Deck SF	:
Fireplace	:	Condition	: Avg	Patio	:
Rng/Oven	:	Bldg Matl	: Stl Frame	Patio SF	:
TrashComp	:	Style	:	Porch	:
Dishwshr	:	RoofCover	:	Porch SF	:
GarbgDisp	:	RoofShape	:	Year Built	: 1966
Intercom	:	Extior Wall	: Siding	FloorCover	:
Vacuum	:	Interior	:	MiscImpv1	:
Pool	:	Foundation	:	MiscImpv2	:

TRANSFER INFORMATION

OWNERS NAMES	DATE	DOC#	PRICE	DEED	LOAN	TYPE
:Howard Larry E/Joan M Trustees	:12/12/1997	4169183:		:Warrant	:	:
:Howard Etux L	:11/23/1983	2405	:\$250,000	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

This information is deemed reliable, but is not guaranteed



4169183
Page: 1 of 2
12/12/1997 00:20P
Spokane Co. WA

WHEN RECORDED MAIL TO:
LARRY E. HOWARD
16616 E. 44th
Greenacres, Washington 99016

Warranty Deed

DOCUMENTARY TRANSFER TAX -0-

SPACE ABOVE FOR RECORDER'S USE

For no consideration, LARRY E. HOWARD do hereby convey and warrant all their interest in and to the following described real property in the County of Spokane, State of Washington to LARRY E. HOWARD and JOAN M. HOWARD, Trustees, or their successors in trust, under the HOWARD LIVING TRUST, dated NOV 24 1997 and any amendments thereto:

E $\frac{1}{4}$ N $\frac{1}{4}$ W $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 33 Twn 25N Rng 43 EXC W 7.5' & EXC N30'
S $\frac{1}{4}$ W $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 33 Twn 25N Rng 43 EXC S98' of 162.69' of W158.02' & EXC W165' of N64.69'
Pin Gov Lots 1, 2, 6 & & Sec 1 Twn 24N Rng 44.
APN:35331.3901 & 44011.9064

Date: NOV 24 1997

Larry E. Howard
LARRY E. HOWARD

STATE OF WASHINGTON

COUNTY OF SPOKANE

)
SS
)

On this day personally appeared before me LARRY E. HOWARD, Trustor and Trustee, to me known to be the individual, or individuals described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Dated: NOV 24 1997

Michael Schermer
Notary Public in and for the State
of Washington, residing at Spokane
My commission expires: 06/10/00



4273611
Page: 1 of 5
09/28/1998 04:54
Spokane Co, ID

RETURN ADDRESS:

WASHINGTON TRUST BANK
LOAN SERVICE
PO BOX 2357
SPOKANE, WA 99210-0777
365605 - 174

13535431

DEED OF TRUST

9

Reference # (if applicable) _____ Additional on page _____
Grantor(s):

1. HOWARD, LARRY E
2. HOWARD, JOAN M

Grantee(s)/Assignee/Beneficiary:

WASHINGTON TRUST BANK, Beneficiary
FIRST AMERICAN TITLE COMPANY OF SPOKANE, Trustee

Legal Description: TRACT "A" OF HOWARD SHORT PLAT NO
90-02

Additional on page 2

Assessor's Tax Parcel ID# 363313601

THIS DEED OF TRUST IS DATED SEPTEMBER 10, 1998, among LARRY E. HOWARD and JOAN M. HOWARD, not personally but as Trustees on behalf of HOWARD LIVING TRUST under the provisions of a Trust Agreement dated November 24, 1987, whose mailing address is 15516 E. 44TH AVENUE, GREENACRES, WA 99018 (referred to below as "Grantor"); WASHINGTON TRUST BANK, whose mailing address is 717 WEST SPRAGUE, SPOKANE, WA 99201 (referred to below sometimes as "Lender" and sometimes as "Beneficiary"); and FIRST AMERICAN TITLE COMPANY OF SPOKANE, whose mailing address is 40 E. TRENT AVENUE, SPOKANE, WA 99202 (referred to below as "Trustee").



4169183
Page: 2 of 2
12-12-1997 00:23P
Spokane Co. WA

Exhibit A
Warranty Deed

The East Half of the North Half of the West Half of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter of Section 33, township 25 North, Range 43 EWM, in the City of Spokane, Spokane County, Washington. EXCEPT the West 7.5 feet; EXCEPT the North 30 feet; TOGETHER WITH the South Half of the West Half of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter of said Section 33. EXCEPT the South 98 feet of the North 162.69 feet of the West 158.02 feet thereof. ALSO EXCEPT the West 165 feet of the North 64.69 feet thereof. SUBJECT TO easements, restrictions and encumbrances of record.

A parcel of land being a part of Government Lots 1, 2, 6 and 7 in Section 1, Township 24 North, Range 44 EWM, more particularly described as follows: BEGINNING at a point on the Southerly margin of 44th Avenue which bears North 89°58'33" West, 160.00 feet from the Northwest corner of Lot 11 according to the survey dated April, 1975, filed June 4, 1975, in Book 3 of Surveys, page 86, and recorded under Auditor's No. 7506040260; thence South 00°02'09" West, a distance of 128.42 feet; thence South 07°32'35" West, a distance of 722.76 feet; thence North 89°44'07" West, a distance 397.20 feet to the East line of Lot 14 of said recorded survey; thence North 00°00'38" East, along the East line of Lots 13 and 14 of said recorded survey, a distance of 392.56 feet to the Northeast corner of said Parcel 13; thence South 89°46'46" East, along the Easterly prolongation of the North line of said Parcel 13, a distance of 177.50 feet; thence North 00°00'38" East, 451.35 feet to the Southerly margin of 44th Avenue; thence South 89°58'33" East, along said margin, a distance of 314.50 feet to the Point of Beginning.

After Recording Return To:
City of Spokane
Department of Real Estate
808 W. Spokane Falls Blvd.
Spokane, WA 99201

Project No: 13667
A portion of
2420 E. 20th
Parcel No.: 35331.3901

STATUTORY WARRANTY DEED

The Grantor, LARRY EUGENE HOWARD, a single man, for and in consideration of SEVEN THOUSAND SEVEN HUNDRED EIGHTY AND 50/100 DOLLARS (\$7,780.50) and other good and valuable consideration, conveys and warrants to the CITY OF SPOKANE, a municipal corporation of the State of Washington, the following described real estate, situated in the County of Spokane, State of Washington, including any interest therein which Grantor may hereinafter acquire:

The North 8.50 feet of Parcel "A" of HOWARD SHORT PLAT NO. 90-02, according to plat recorded in Volume "7" of Short Plats, Page 68, in the City of Spokane, Spokane County, Washington.

Dated this 30 day of August, 1996.

GRANTOR

By: Larry E. Howard
Larry E. Howard, DDS

9600012533

Excise Tax Paid on _____
Sale Amt. Pd. 2.00
Spokane County Treas.
By [Signature] 9/2/96

State of Washington: _____
County of Spokane : _____

On this 30 day of August, 1996, before me, the undersigned, a Notary Public in and for the State of Washington, personally appeared LARRY E. HOWARD, a single man, to me known to be the Grantor, that executed the within and foregoing instrument, and acknowledged the said instrument to be his free and voluntary act and deed for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



[Signature]
Notary Public in and for the State
of Washington, residing at Spokane
My commission expires 11/9/97



4033291
Page: 1 of 1
09/09/1996 11:28A
Spokane Co, WA

Certificate of Occupancy

Department of Building

City of Spokane, Washington

THIS CERTIFIES THAT, pursuant to the requirements of Section 306 of the Uniform Building Code at the time of issuance this structure was in compliance with the various ordinances of the City regulating building construction or use.

Address E. 2420 - 29th

Building Use Larry Howard DDS

Group B-2 Const. Type VH Use Zone R01-L Fire Zone

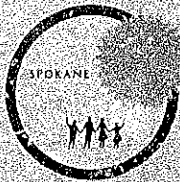
Owner Larry Howard DDS Address E. 2420 - 29th
Spokane, Wa 99203

R. R. Reese, P. E.
Director

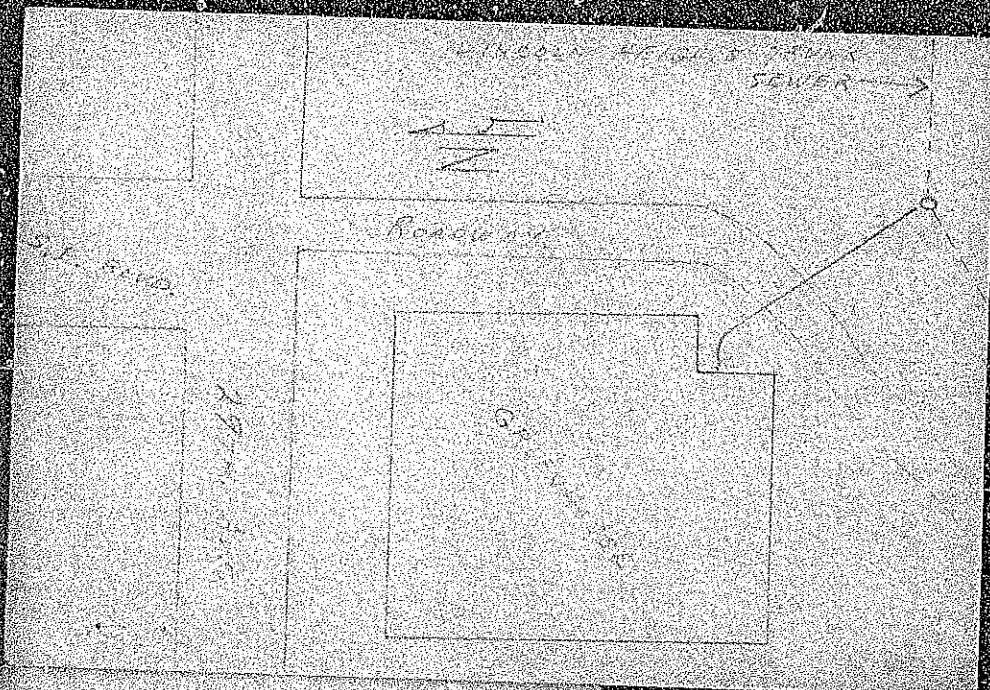
By _____

Date 4/27/84

POST IN A CONSPICUOUS PLACE



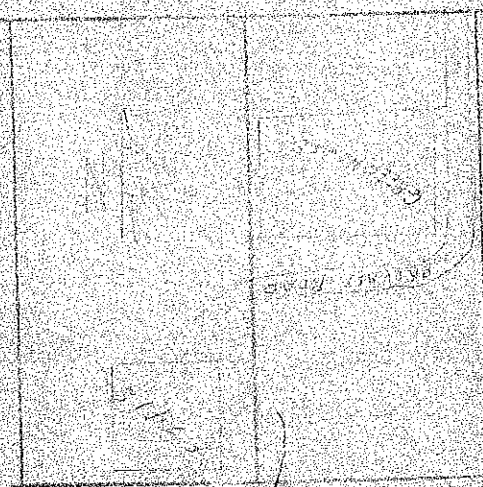
0014 0550



0207 1293

FILE E-K-18-6770

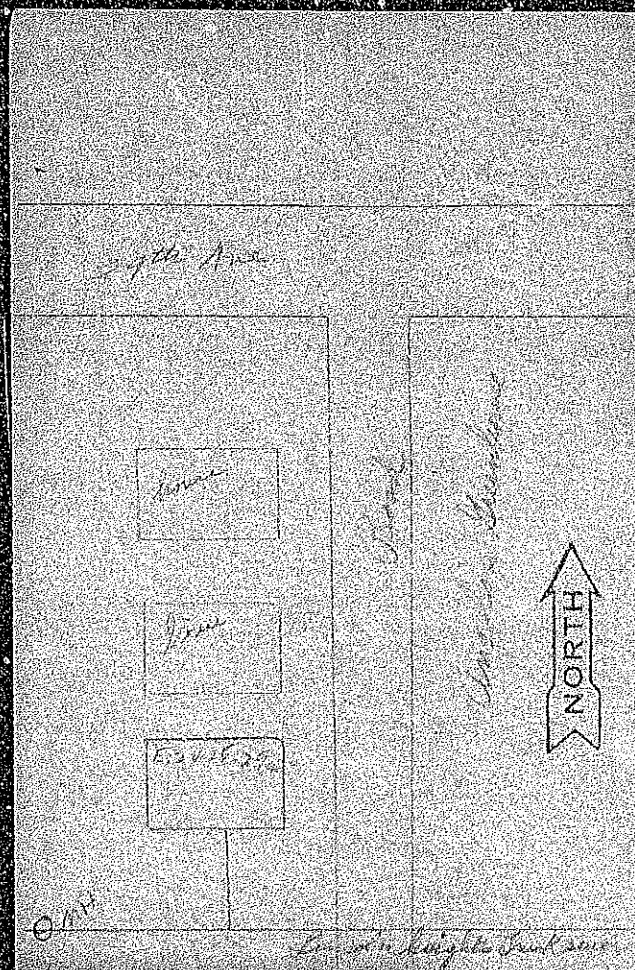
RECORD



FILE

6770

0207-7287



Form No. 252
50-384-33-25-43 Change to East 2420-2422 - 29th Avenue
Change from E. 2420 - 29th Avenue

PROFILE NO.
9532

NO 55324 A

CITY OF SPOKANE
SIDE SEWER PERMIT

ISSUED BY AT

Frank Angelo

Owner Murphy Bros.

Plumber or

Contractor
NW 1/4 of NW 1/4 of NE 1/4 of NW 1/4 of Section 33-25-43

No. East 2420 - 29th Avenue Width of Street 6 ft.

Location of "Y" 129.8 ft. west of manhole in Southeast Boulevard

29th Avenue Sewer

Property Line to Building

Enters Property 129.8 ft. west of manhole in Southeast Boulevard

Depth at Property Line 9.8 ft. At Building ft.

Size of Pipe in Street 1" con. In On Property 4" con. in.

Class of Building Residence Florist Shop

Date of Permit October 13 1966 Date of Inspection 10-15-66 19

Enters Building ~~CONCRETE~~ 23.5' E. of NW cor. of bldg. Depth

Remarks 1.5' below floor. Sewer laid 1/8" per foot grade.

Work by Murphy Bros.

I hereby certify that I have inspected this connection and that it conforms to all the requirements
governing such work. I further certify that the back-filling has been properly done and that the street is
in good condition.

JAMES W. DAY

Supt. of Sewers

Inspector

1006 0628

FORM 417
Revised

BUILDING DIVISION

Permit No. **B 64052**

Date **9-9-66**

Address **East 2420 - 29th Avenue**

Lot **1** Bldg. **1** Addition **1**

Group **F-2** Type **V** Zone **1** Fire Zone **1**

Owner **Angelo's Flowers** Address **Same**

Contractor **G. J. McGovney** Address **E. 2511 Crescent**

Architect **1** Address **1**

New **1** Alteration **X** Repair **1** Addition **1** Demolish **X**

Use of **1** Ex. Bldg. **Greenhouse**

Area **1** Stories **1** No. Rooms **1** H. Units **1**

Garage **1** Chimney **1** Fireplace **1** VALUE **\$1,500.00**

Demolish portion of building to provide parking.
Close remaining portion of building.

Final Approval

Inspector

7459 2561

FORM 112
Revised 1-66

BUILDING DIVISION

Permit No. B 64732

Address: East 2420 - 29th Avenue
S $\frac{1}{2}$ of W $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 33-25-43

1-18-67

Zone F2 Lot V Area R1 Front Yard 20'

Owner: Angelo's Flower Shop Address: Same

Contractor: Eric E. Plath Address: P.O. Box 6235, Hillyard

Architect: Carl W. VanTyne Address: Peyton Building

NEW ☐ Alteration ☐ Repair ☒ Addition ☐ Deletion

Use of: ☐ Dw. ☐ Bldg. ☒ Greenhouse

Area: 3406 s.f. Stories: 2 No. Rooms: 1

Garage ☐ Chimney ☐ Fireplace

76101 \$62,000.00

Add attached living quarters. CPC Letter 7-13-66
(Non-conforming). If greenhouse is discont. to
be used as residence only.

Final Approval

Inspector

7459 2565

Certificate of Occupancy

Department of Building

2458

City of Spokane, Washington

THIS CERTIFIES THAT, pursuant to the requirements of Section 306 of the Uniform Building Code at the time of issuance this structure was in compliance with the various ordinances of the City regulating building construction or use.

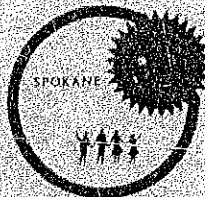
Address E. 2420 29th Ave.

Building Use Apartment Building

Group P Const. Type U Use Zone U Fire Zone X 3

Owner R. R. Reese, P. E. Address E. 2420 29th Ave.

R. R. Reese, P. E.
Director



By _____
Date August 25, 1978

POST IN A CONSPICUOUS PLACE

3458 2572

10650

ENDING

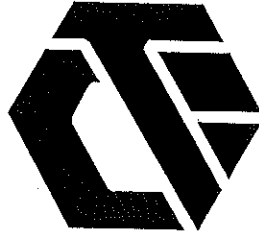
ALLISON

FILING

Angelo's Flower Shop

Non-conforming Cert. of Occurrence #2458

FD-302 (Rev. 1-25-60)



APPENDIX B

SITE PHOTOGRAPHS

Photograph Summary

2420 East 29th Avenue



1

Subject site viewed from the intersection of 29th Avenue and Southeast Boulevard, looking southwest.



2

View looking north along Southeast Boulevard, the east boundary of the subject site.



3

View looking northwest at the subject site from a position across Southeast Boulevard.

TechCon, Inc.

Consultants • Certified Environmental Specialists • Project Managers

Photograph Summary

2420 East 29th Avenue



4

View looking east across the north parking area.



5

View looking northeast across the subject site from a position near the southwest corner of the site.



6

View looking south along the west boundary of the subject site from across 29th Avenue.

TechCon, Inc.

Consultants • Certified Environmental Specialists • Project Managers

Photograph Summary

2420 East 29th Avenue



7

View looking east across the south portion of the subject site.



8

View looking north across the east portion of the subject site.



9

View looking west along the south boundary of the subject site.

TechCon, Inc.

Consultants • Certified Environmental Specialists • Project Managers

Photograph Summary

2420 East 29th Avenue



10

**Stormwater collection
drywell in the south
parking area.**



11

**Stormwater collection
drywell in the north
parking area.**



12

**View looking west along
29th Avenue, the north
boundary of the subject
site.**

Photograph Summary

2420 East 29th Avenue



13

Finishes in the main entry on the upper level of the subject building.



14

Interior finishes in the dental office on the upper level.



15

Interior finishes in the dental office on the upper level.

TechCon, Inc.

Consultants • Certified Environmental Specialists • Project Managers

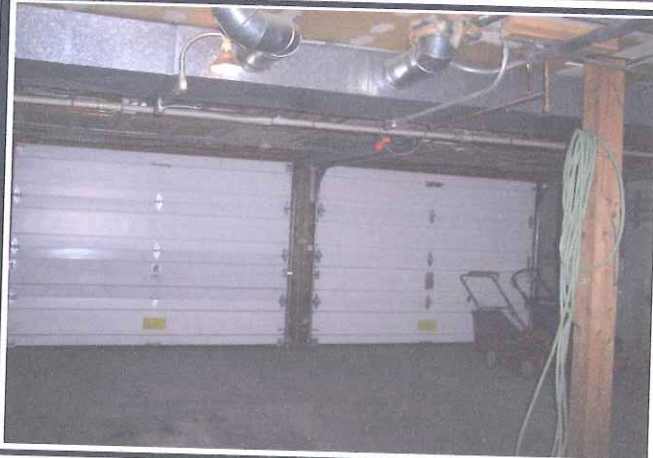
Photograph Summary

2420 East 29th Avenue



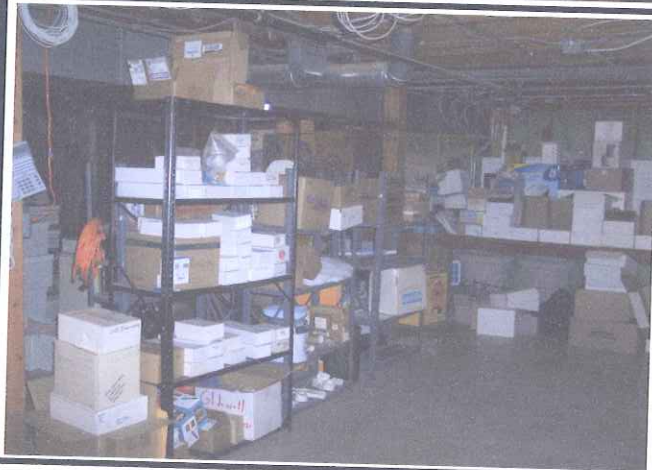
16

Maintenance supplies storage on the upper level.



17

Interior view of the garage area on the lower level.



18

Typical storage in the unfinished space on the lower level.

TechCon, Inc.

Consultants • Certified Environmental Specialists • Project Managers

Photograph Summary

2420 East 29th Avenue



19

Interior finishes in the vacant office space on the lower level.



20

Interior finishes in the vacant office space on the lower level.

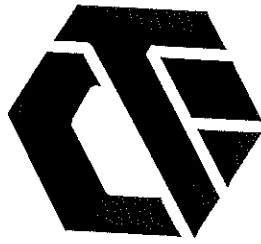


21

Interior of the mechanical room on the lower level showing the air compressor.

TechCon, Inc.

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APPENDIX C

SCOPE OF WORK



SCOPE OF WORK

PHASE I ENVIRONMENTAL SITE ASSESSMENT

The purpose of the Phase I Environmental Site Assessment (ESA), conducted in substantial conformance with ASTM Standard 1527-05, is to identify and assess characteristics of the subject property that would be of environmental concern or, conversely, to reasonably illustrate the site characteristics of environmental concern. Environmental concerns include aspects that would lead to liability issues in the event of ownership, that have a potential for impact on property value, and that would impact the present or future use of the property. Main topics are:

- ▲ **Site Reconnaissance** - The reconnaissance shall be performed by a qualified Environmental Site Assessor who shall observe and assess the site characteristics of potential environmental concern (i.e., on-site USTs, wastewater treatment systems, hazardous materials/waste storage, etc.). Aspects of potential regulatory concern shall be researched at the appropriate regulatory agency
- ▲ **Observe Adjacent and Vicinity Properties** - This phase of work shall be performed by a qualified Environmental Site Assessor who shall identify and assess site characteristics of potential environmental concern (i.e., nearby service stations, industrial facilities, etc.). Aspects of potential regulatory concern shall be researched at the appropriate regulatory agency.
- ▲ **Regulatory Agency Review** - This review shall be performed to identify and assess any listings of regulatory permits, registrations, enforcement actions, and contaminated sites at the subject site or close enough to affect the subject property. Commercially available lists may be used. If used, these lists shall be as current as the regulatory agencies' lists. For those sites that are not covered by commercially available lists, the assessor shall review the lists at the appropriate regulatory agency.
- ▲ **Historical Review** - This review shall be implemented to identify any historical uses that may have contributed to the presence of environmental concerns at the site.



- ▲ **Report Development** - The report shall include a discussion of the findings of the tasks discussed in the scope of work. At a minimum, the report shall include each of the main topics of this scope of work and shall include specific identification of the following:
 - ▲ Polychlorinated Biphenyls (PCBs)
 - ▲ Above ground storage tanks (ASTs)
 - ▲ Underground storage tanks (USTs)
 - ▲ Hazardous Substances/Petroleum Products
 - ▲ Odors
 - ▲ Pesticides/Herbicides
 - ▲ Water supplies, Waste Generation, Storage, Disposal

Report Format - The report format to consist of the following:

- ▲ **Table of Contents**
- ▲ **Section 1 - Summary**
 - Certified Environmental Professionals
 - Abbreviated Scope of Work
 - Non-Scope Considerations
- ▲ **Section 2 - Introduction**
 - Purpose
 - Terms and Conditions
 - Limitations and Exceptions
- ▲ **Section 3 - Site Description**
 - Location
 - Site Legal Description
 - Site Description
 - Water, Wastewater, and Sewer Service
 - Current Uses
 - Tenant Interviews (If Applicable)
 - Adjacent/Adjoining Properties
- ▲ **Section 4 - Records Review**
 - Regulatory Agency Review
 - Regional Physiographic Conditions

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- Topographical Conditions
- Soil Conditions
- Groundwater Conditions
- Historical Review
- Previous Environmental Investigations

• **Section 5 - Investigative Results**

- Site Observation

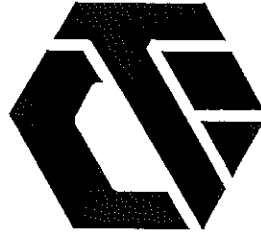
• **Section 6 - Findings and Conclusions**

- Findings
- Recognized Environmental Conditions (if applicable)
- Conclusions

• **Section 7 - Certification and Signatures of Environmental Professionals**

• **Appendices**

- Maps and Site Plans
- Site Photographs
- Project Scope of Work
- Certifications



APPENDIX D

ENVIRONMENTAL CERTIFICATIONS

TECHCON, INC.

Consultants • Certified Environmental Specialists • Project Managers



State of California
California Environmental Protection Agency
Office of Environmental Health Hazard Assessment

Daniel L. Autrey

has fulfilled the requirements for registration as a
Registered Environmental Assessor I (REA I).

Date Registered: October 1998

Joan E. Denton, Ph.D.
Director
Office of Environmental Health Hazard Assessment

REA - Class I Number: REA-07248

Peter M. Rooney
Peter M. Rooney
Secretary for Environmental Protection
California Environmental Protection Agency

Environmental Assessment Association



hereby certifies that

Daniel L. Aubrey

has been qualified for membership in the

Environmental Assessment Association

and has been admitted by its Board of Directors and declared to be a

CEI

Certified Environmental Inspector

*and is hereby granted this certificate
under the conditions presented in its by-laws.*

Signed and sealed this 16th day of January, 1992

Joseph M. Lacy
Managing Director

Technical &
Professional
Training



Daniel Autrey

Is Awarded 1.4 CEUs

*for successful completion of
the course on*

Environmental Site Assessment
for Commercial Real Estate

April 7-8, 1998
Seattle, WA

James A. Thomas

President

Scott W. Murphy

Manager, Technical & Professional Training



Environmental Data Resources, Inc.
Continuing Education Program



This is to certify that

Mr. Dan Autrey

has successfully completed the training course

***Conducting Historical Research
According to ASTM Standard E 1527-94***

***in Seattle, Washington
on November 9, 1995***

and in recognition thereof is presented with this Certificate

Certification No. 151

Anthony J. Barrios
Program Director

CERTIFICATE OF COMPLETION
"Performing Phase I Environmental Inspections"

This certifies that

Daniel L. Autrey

*has attended this
intensive educational course
in Seattle, Washington on July 29, 1994.*

**"Consisted of seven and a half (7.5) hours of intensive education and is approved for Real Estate
Appraiser Continuing Education by the State of Washington."**

ENVIRONMENTAL ASSESSMENT ASSOCIATION

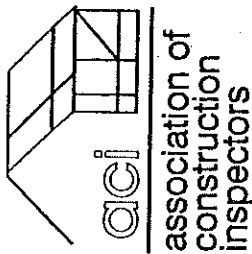
July 29, 1994

Date

Troy E. Johnson

Troy Johnson
Executive Director

Association of Construction Inspectors



hereby certifies that

Daniel M. Autrey

has been qualified for membership in the

Association of Construction Inspectors

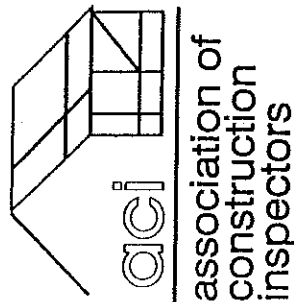
and has been admitted by its Board of Directors and declared to be a

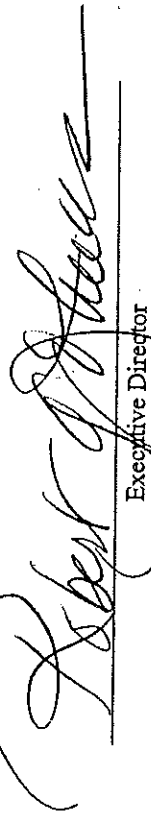
CCPMI

Certified Construction Project Manager

and is hereby granted this certificate

under the conditions presented in its by-laws.




Executive Director

Signed and sealed this 15th day of October, 19 27

AdvanceOnline Online Institute

Certificate of Completion

Daniel L. Autrey

has met the online course completion requirements for

Hazardous Waste Operations and Emergency Response 8-Hour Refresher

This student has spent the amount of time listed below towards the annual refresher requirements in OSHA 29 CFR 1910.120 (a)-(q), Hazardous Waste Operation and Emergency Response. If the Course Time shown is less than 8:00 hours, there should be a supervisor's signature on this certificate. This signature indicates that the student has had supplemental training that, together with this course, meets the 8-hour training requirement.

Certificate ID: 221515

Date: 28 August 2008

Continuing Education Units: 0.8

Time Online: 3:08

On-site Supervisor's Signature:

x Chris Edison

Date: 8/28/08

AdvanceOnline
5858 Westheimer Rd. Ste. 405
Houston, TX 77057
<http://www.advanceonline.com>
Toll Free: 1.866.4BRAINS

This education program meets the
Criteria for Certification established by
the Authorized Provider Commission of
the International Association for
Continuing Education and Training,
1200 19th St., NW, Suite 300,
Washington, DC 20036-2401.



Technical &
Professional
Training



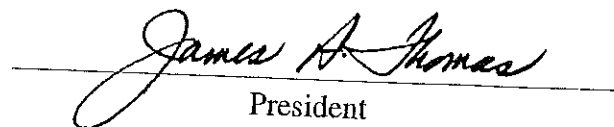
Daniel L. Autrey

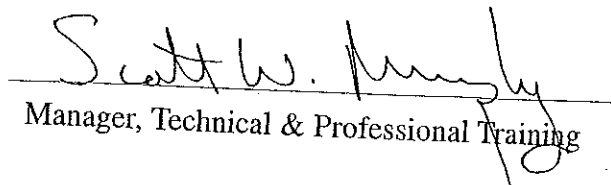
Is Awarded 1.4 CEUs

*for successful completion of
the course on*

**Phase II Environmental
Site Assessment Process**

**March 23-24, 1999
Clearwater Beach, FL**


President


Manager, Technical & Professional Training