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**NOTICE OF SITE MANAGEMENT PLAN
FOR THE EASTERN ALUM PONDS**

This NOTICE OF SITE MANAGEMENT PLAN FOR THE EASTERN ALUM PONDS is executed by Ninigret Technology Park, L.C., the Owner under that certain Site Management Plan for the Eastern Alum Ponds (the "Site Management Plan") submitted to and approved by the Utah Department of Environmental Quality, Utah Division of Solid and Hazardous Waste, a certified copy of which is attached hereto as Exhibit "A" and incorporated herein by this reference, and is made with respect to the certain real property located in Salt Lake County, Utah (the "Property"), which is more particularly described in Exhibit "B" attached hereto and incorporated herein by this reference.

NOTICE is hereby given of the approval of the Site Management Plan with respect to the Property described in Exhibit "B."

DATED this 4th day of November 2004.

OWNER

NINIGRET TECHNOLOGY PARK, L.C.
by its sole manager:

THE NINIGRET GROUP, L.C.,
A Utah limited liability company

By Randolph G. Abood
Randolph G. Abood
Managing Member

STATE OF ~~UTAH~~ New York)
COUNTY OF ~~SALT LAKE~~)
New York)

ss.

The foregoing instrument was acknowledged before me this 4th day of November 2004, by Randolph G. Abood, the Managing Member of The Ninigret Group, L.C., the sole manager of Ninigret Technology Park, L.C.

Valerie E. Fields
NOTARY PUBLIC
Residing at: _____

My Commission Expires:

VALERIE E. FIELDS
Notary Public, State Of New York
No. 24-4754159
Qualified In Kings County
Commission Expires September 30, 2005

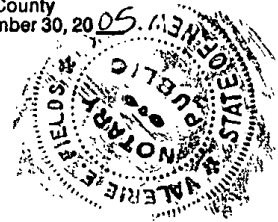


EXHIBIT A
SITE MANAGEMENT PLAN

429299.2

BK 9058 PG 2175



Millennium Science & Engineering, Inc.

**SITE MANAGEMENT PLAN
FOR THE EASTERN ALUM PONDS
(EASTERN PORTION OF SWMU #20)**

REVISION 1.0

**Engelhard Facility
2550 West Andrew Avenue
Salt Lake City, Utah**

November 3, 2004

**SITE MANAGEMENT PLAN
FOR THE EASTERN ALUM PONDS
(EASTERN PORTION OF SWMU #20)**

REVISION 1.0

**Engelhard Facility
2550 West Andrew Avenue
Salt Lake City, Utah**

November 3, 2004

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BK 9058 PG 2177

**SITE MANAGEMENT PLAN
FOR THE EASTERN ALUM PONDS
(EASTERN PORTION OF SWMU #20)**

REVISION 1.0

**Engelhard Facility
2550 West Andrew Avenue
Salt Lake City, Utah**

November 3, 2004

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ATTACHMENTS

- SHEET 1 CORRECTIVE ACTION COMPLETED (45-ACRE PARCEL)
- ATTACHMENT 1 NOTICE OF SITE MANAGEMENT PLAN FOR THE WESTERN ALUM PONDS
- ATTACHMENT 2 NOTICE OF OBLIGATIONS

1.0 INTRODUCTION

1.1 Scope

This Site Management Plan (SMP) describes site management actions for the eastern portion of Solid Waste Management Unit (SWMU) #20, known as the Eastern Alum Ponds, at the former Engelhard facility (the Facility). The Facility is now owned by Ninigret Technology Park.

This SMP is based on the results of a baseline human risk assessment (MSE, 2004a) and an ecological risk assessment (MSE, 2004b) submitted to the Utah Department of Environmental Quality, Division of Solid & Hazardous Waste (DSHW) in accordance with the requirements at Utah Administrative Code (UAC) R315-101. The requirements at R315-101 establish standards to support risk-based cleanup and closure standards at sites for which remediation or removal of constituents to background levels will not be achieved. Preliminary human health risk estimates had indicated that the level of risk may exceed 1×10^{-6} for carcinogens or a Hazard Index of one for non-carcinogens based on a residential exposure scenario. However, the actual and future land use conditions do not include residential land use, and offer a more protective exposure scenario than residential land use. Therefore, the human health risk assessment was conducted in accordance with Utah Administrative Code (UAC) R315-101-5.2 (b)(2) for actual and future land use conditions, based on site-specific physical and chemical information and the assumption that the affected media will not have undergone any remediation or controls to reduce exposure.

The site is in an area zoned for commercial/industrial (light manufacturing) land use, and the actual land use for the planned redevelopment is commercial/light industrial. The planned redevelopment will provide a more protective exposure scenario than the present land use. The planned redevelopment eliminates all exposure pathways to future onsite commercial workers due to placement of buildings, paved parking areas, and landscaped areas that will prevent contact with constituents beneath the site. Furthermore, the site is not, and will not be, used in a residential land use scenario.

Because constituents at this site will not be remediated or removed to background levels, R-315-101-6 requires a Site Management Plan and provides three options for the SMP. These SMP options are summarized as follows:

- 1) The SMP may contain a no further action option only if the level of human health risk present at the site is below 1×10^{-6} for carcinogens and a Hazard Index of "less than one" for non-carcinogens based on a residential exposure scenario.
- 2) The SMP must contain appropriate management activities e.g., monitoring, deed notations, site security, or post-closure care, if the level of human health risk present at the site is less than 1×10^{-4} for a risk assessment based on actual land use conditions, but greater than 1×10^{-6} for a risk assessment based on a residential exposure scenario, and the Hazard Index is "less than one" using both exposure scenarios. The SMP may, but is not required to, include corrective action.

- 3) The SMP must contain procedures for corrective action if the level of human health risk present at the site is greater than 1×10^{-4} for carcinogens, or a Hazard Index of "greater than one" for non-carcinogens, for a risk assessment based on the actual land use.

As discussed in Section 2 of this SMP, for future onsite commercial workers and construction workers the level of human health risk is less than 1×10^{-4} for carcinogens and the Hazard Index is not greater than one for non-carcinogens based on actual land use conditions, and assuming that no remediation or controls are implemented to mitigate potential exposure to constituents at the site. Based on the estimated risk levels, a Site Management Plan is required for this site, and the SMP must include appropriate management actions.

Corrective action has been conducted on approximately 45 acres of the site, as further described in Section 1.3 of this SMP. Corrective action was conducted in accordance with an approved Corrective Action Plan (CAP) in order to stabilize the affected media by eliminating low-pH liquids, raising the pH of affected soils, and compacting the treated material, all of which result in further reducing the potential for leaching of constituents to groundwater. In accordance with the CAP, corrective action of the remainder of the site will be conducted in subsequent phases. Future redevelopment of the site will even further reduce the potential for exposure to constituents at the site.

1.2 Site Background

The former Engelhard plant site (the Facility) is located at 2550 Andrew Avenue in western Salt Lake City. The alum ponds (SWMU #20) are located approximately one-half mile west of the Facility in the northern half of Sections 17 and 18, Township 1 South, Range 1 West, Salt Lake Base and Meridian. The Eastern Alum Ponds, located in Section 17 immediately east of Bangerter Highway and south of California Avenue, encompass approximately 170 acres. The site is currently vacant and is similar in nature to a "brownfields" property, with environmental conditions impeding beneficial use of the property. A planned redevelopment is providing an economic driving force and opportunity to mitigate the environmental conditions, in order to allow the site to be redeveloped and returned to beneficial use.

Filtrol Corporation purchased land occupied by the Facility and the alum ponds in 1950, and the Facility was developed as an activated clay catalyst production plant. The material in the eastern alum ponds is a by-product of the former activated clay catalyst production process, which was conducted at the Facility by Filtrol Corporation from 1951 to approximately 1981. The primary raw materials included natural aluminosilicate clays and sulfuric acid. The process involved drying and crushing the natural clays before treating them with sulfuric acid, thereby removing undesirable materials that were separated from the stripped clays via a series of thickener vessels. The stripped clays were then filtered, dried, ground, pelletized, and thermally treated to produce activated clay catalysts. The by-products including alum (aluminum sulfate), silicates, and low-pH water were discharged to the alum ponds. The by-products were

initially discharged to the NE pond in the northeastern portion of SWMU #20 (east of the present-day Bangerter Highway), and were later discharged also to the L pond and the western ponds as these ponds were subsequently constructed. By 1981, Filtrol Corporation had ceased the activated clay catalyst production process and was converting operations to the production of fresh alumina catalyst and regeneration of spent alumina catalyst. The fresh alumina catalyst production process did not generate wastes that were discharged to the alum ponds. However, scrubber blowdown water and non-contact cooling water from the regeneration process were discharged to the eastern alum ponds between 1981 and 1989. No materials were discharged to the eastern alum ponds after 1989. Engelhard Corporation acquired the Facility in 1988, and ceased operations at the site in 2000. Ninigret Technology Park acquired the property in portions during 2000 and 2002.

Except for the initial 45-acre portion that has been treated in accordance with the Corrective Action Plan, acidic alum materials cover most of the untreated portions of the eastern alum pond complex. The alum materials include both solids and residual alum liquids. The alum liquids are subject to evaporation, and the area covered by liquids varied with seasonal weather conditions.

1.3 Corrective Action

A Corrective Action Plan (CAP) was developed for the eastern alum ponds and approved by the Utah Division of Solid & Hazardous Waste (DSHW) in January 2003 (MSE, 2003a). The CAP is based on practical and cost-effective treatment methods developed during similar corrective actions previously conducted within the western alum ponds (MSE, 2003b, 2004c). The corrective action approach relies on the application of lime or similar carbonate-based additives to neutralize the acidic alum materials and prevent additional alum liquor from forming. This process results in a stabilized end product that exhibits near neutral pH, low metals leachability, and adequate bearing capacities to allow for building and redevelopment for commercial/light industrial land use. The process effectively results in containment of metals within the treated soils, which will subsequently be covered by clean fill material, buildings, pavement, and minor landscaped areas as the property is redeveloped. The site redevelopment features will also prevent exposure to the stabilized materials by future commercial/industrial users of the site.

1.3.1 Corrective Action Completed

In accordance with the approved CAP, the first phase of corrective action in the eastern alum ponds was conducted in a 45-acre area in the easternmost portion of SWMU #20 (see attached Sheet 1) and is pending final DSHW approval. This area was selected for initial treatment due to its limited quantity of surface liquids, similar physical characteristics, and similar construction methodology requirements, as well as to facilitate the redevelopment of adjacent unimpacted land to the east of the alum ponds. Treatment of acidic materials in the initial 45-acre portion was initiated in January 2003 and was substantially completed by January 2004 (MSE, 2004d). Emplacement and

compaction of the treated materials was initiated during the spring and early summer of 2004. Throughout the initial 45-acre portion, the corrective action resulted in neutralization of the acidic alum materials and attainment of all standards for chemical stabilization. Compaction of treated materials is currently underway in this area.

1.3.2 Corrective Action Pending Completion

As stated above, compaction is currently underway within the initial 45-acre treatment phase. When compaction has been completed, a final report documenting compliance with all standards for chemical stabilization and compaction will be provided to DSHW.

As described in the approved CAP, treatment and redevelopment of the remaining portions of the eastern alum ponds are to occur in phases over a period of several years, concurrently with the investigation, remediation, and redevelopment of other portions of the property. As part of this approach, Ninigret will identify discrete parcels within the site to receive treatment for each subsequent phase of corrective action. Parcels for each discrete treatment phase will be identified based on consideration of redevelopment conditions, as well as practical considerations of field implementability. For each discrete treatment phase, Ninigret will develop a CAP Addendum for DSHW review and approval before initiating treatment. Each CAP Addendum will specify the area to be treated, the specific treatment methodologies to be employed, and any special conditions that may apply for that particular treatment phase (e.g., liquids management). Upon DSHW approval of each CAP Addendum, Ninigret will perform the required treatment activities for that phase. As each treatment phase is concluded, Ninigret will provide a report to DSHW documenting the treatment and performance evaluation data to demonstrate compliance with applicable treatment standards.

Ponded alum liquids in the Northwest pond and the central Harvest pond have been determined to exhibit characteristics of hazardous waste. Before other actions are conducted in these 2 ponds, the liquids that exhibit hazardous waste characteristics will be removed or and/or managed appropriately in accordance with a CAP Addendum to be developed specifically for these ponds, and subject to DSHW approval.

2.0 SITE RISK

2.1 Human Health Risk

A baseline human health risk assessment was conducted for the eastern alum ponds of Solid Waste Management Unit # 20 located east of Bangerter Highway (MSE, 2004a). This risk assessment was completed in accordance with Utah Administrative Code (UAC) R315-101 "Cleanup Action and Risk-Based Closure Standards", and is consistent with relevant U.S. Environmental Protection Agency (EPA) guidance. The risk assessment was conducted based on data collected according to a DSHW-approved Sampling and Analysis Plan and Quality Assurance Plan (SAP/QAP) dated June 21, 2001. Chemicals detected in soil and groundwater were evaluated using the procedures outlined in the State of Utah Cleanup Action and Risk-Based Closure

Standard (R315-101-5) and relevant EPA guidance. The soil and groundwater analytical results used in the risk assessment represent baseline conditions independent of corrective action and future site redevelopment. All chemicals detected in soil and groundwater were evaluated in the risk assessment. If the chemical concentration of a solid sample exceeded its corresponding background concentration, it was retained for evaluation in the risk assessment. All chemicals detected in groundwater were retained for evaluation in the risk assessment.

The risk assessment and its SAP/QAP were designed to evaluate the human health risk due to exposure to volatile organic compounds and metals in soils and groundwater. However, volatile organic compounds were not detected in soil or groundwater and are, therefore, not potential chemicals of concern. Potential chemicals of concern in the eastern alum ponds include: aluminum, antimony, arsenic, barium, beryllium, cadmium, chromium, cobalt, copper, lead, mercury, molybdenum, nickel, selenium, silver, thallium, vanadium, and zinc.

A Site Conceptual Exposure Model was developed for the site to identify potential receptors and potential exposure pathways. Potential receptors include future construction workers, and future site workers in a commercial/light industrial land use scenario. Commercial land use exposure factors were used in the risk assessment to determine if excess human health risk exists in the absence of corrective action or controls provided by redevelopment. The exposure routes evaluated in the risk assessment are consistent with commercial land use and State of Utah Cleanup Action and Risk-Based Closure Standards. The potential exposure pathways evaluated in the risk assessment for a future construction worker include: incidental ingestion, dermal contact, and inhalation of particulates from alum affected surface and subsurface soils; and incidental ingestion and dermal contact of groundwater. The potential exposure pathways evaluated in the risk assessment for a future commercial site worker include: incidental ingestion, dermal contact, and inhalation of particulates from alum affected surface soils. These potentially complete exposure pathways were conservatively evaluated for the future commercial worker, assuming no controls (e.g., buildings, pavement, landscaping, etc.) are present. However, the planned redevelopment will render these pathways incomplete for the future commercial worker.

The human health risks associated with carcinogenic and non-carcinogenic chemicals of potential concern were estimated in the risk assessment. For carcinogens, risks are estimated as the probability of an individual developing cancer over their lifetime as a result of exposure to a carcinogen. Carcinogenic human health risk is expressed as a probability; for example 1×10^{-6} , means one-in-one million chance that an individual will develop an adverse effect. Non-carcinogenic risk is expressed as a hazard index. The hazard index is a ratio that, if greater than 1, may represent potential for non-carcinogenic health effects. EPA standardized risk assessment reporting tools (Standard Tables) were used to document the risk assessment. The Standard Tables document the majority of the data and assumptions used to evaluate risk, as well as the risks and hazards calculated (MSE, 2004a).

Quantitative results of the baseline risk assessment indicate that for the future commercial worker, the total carcinogenic risk (4×10^{-6}) is well below the action level (1×10^{-4}) that mandates corrective action, as set forth in Utah's Cleanup Action and Risk-Based Closure Standards. Similarly, the total non-carcinogenic hazard index (0.1) for the future commercial worker is well below the hazard index standard of 1. The risk assessment assumed baseline conditions without any corrective action, engineering controls, or development to reduce or control exposure to site constituents. Therefore, under actual future land use conditions that include controls provided by corrective action and site redevelopment, the health risk to future commercial workers is less than the values calculated in the baseline risk assessment.

For the future construction worker, the risk assessment indicates a total carcinogenic risk of 9×10^{-6} , well below the action level of 1×10^{-4} . The highest segregated non-carcinogenic hazard index for the future construction worker (1) does not exceed 1.

2.2 Ecological Risk

In addition to a human health risk assessment, Utah's risk-based closure rules require an ecological risk assessment unless a waiver is granted by the Executive Secretary of the Utah Division of Solid & Hazardous Waste (DSHW). Ninigret previously requested a waiver for the western alum ponds based on the lack of ecological receptors and habitat at the site under current and future land use conditions. DSHW informed Ninigret that the future land use conditions (development for commercial/light industrial use) are considered similar to administrative controls, and as such an ecological risk assessment would need to be prepared to evaluate potential ecological effects that could occur if the site were to remain undeveloped. Accordingly, Ninigret developed an ecological risk assessment (ERA) that assumes that the site remains undeveloped (MSE, 2004b).

Using site-specific chemical data and an inventory of the biological community at the site and surrounding area, the ecological risk was quantified for a subset of measurement receptors likely to be exposed to the site in the shrub-scrub and aquatic food webs, assuming that the site remains undeveloped. For the purposes of the ecological assessment, in the shrub-scrub food web it is assumed that rodents colonize the site and serve as prey for carnivorous birds and mammals including the red-tailed hawk and the red fox. In the aquatic food web, it is assumed that mallard ducks are exposed to water, sediment, and plants in the nearby Lee Drain and Brighton Canal ditches. In addition, the ecological risk was quantified for the red fox in the aquatic food web by ingestion of water from the Lee Drain Ditch. Using highly conservative default values and assumptions, ecological screening quotients (ESQs) were calculated for each of the selected measurement receptors, and phytotoxicity to plants was evaluated using available soil phytotoxicity benchmarks.

Based on the results of the ERA, if the site remained undeveloped, the potential exists for adverse effects to ecological resources from site constituents. However,

development of the site could effectively eliminate the establishment of habitat and the potential for exposure of ecological receptors to site constituents.

3.0 NATURE AND EXTENT OF REMAINING CONTAMINANTS

Metals concentrations exceeding site-specific background concentrations are present in the near-surface and subsurface soils at the site and in groundwater beneath the site.

For future commercial workers and construction workers at the property, the level of carcinogenic and non-carcinogenic health risk associated with these constituents is well within the limits established at UAC R315-101 for current and future land use, assuming no controls to minimize exposure.

The potential for adverse effects to ecological resources from site constituents is minimal, assuming the site remains undeveloped. Remediation and redevelopment of the site, including the construction of buildings, paved parking areas, and paved roadways, will provide controls to eliminate exposure pathways and further reduce the potential for exposure to human and ecological receptors.

4.0 SITE MANAGEMENT REQUIREMENTS

The actual and future land use for the site is commercial/light industrial, and does not include use for residential purposes. Based on the level of risk at the site with respect to actual and future land use, R-315-101-6 requires that the SMP contain appropriate management actions to minimize the potential for exposure to constituents. The following site management actions are designed to control site risks by minimizing the potential for exposure to site constituents.

4.1 Land Use Restrictions and Site Development

The site is in an area already zoned for commercial/industrial (light manufacturing) land use. As such, the current zoning precludes development for residential land use. Additional land use restrictions will be imposed to prevent residential development (including child care facilities and early education schools) and ensure that the property is used solely for commercial and industrial purposes in the future. Similarly, no edible crops will be grown on site without the approval of UDEQ. These restrictions will be imposed and enforced on the current property owner through deed notices and on subsequent property owners through deed restrictions.

To minimize potential exposures to ecological receptors, actions will be taken to prevent the development of habitat for ecological receptors. These actions will be completed within 5 years of the completion of corrective action described in Section 1.3 of this

SMP and maintained. Current plans are to develop the site with paving and buildings that will be adequate to prevent potential exposures to ecological receptors.

All portions of any waterway (such as the Brighton Canal or Lee Drain) shall not be in direct contact with treated material. Any waterway that currently exists or is subsequently placed within the footprint of the eastern alum ponds shall be lined or otherwise constructed such that a separation is maintained between the water within the waterway and the treated material thereby preventing direct contact between the water and the treated material. The integrity of this separation shall be maintained at all times.

4.2 Groundwater Use Restrictions

Restrictions will also be imposed to prevent use of groundwater from beneath the property. A separate groundwater monitoring program will be established to monitor concentrations of chemicals in groundwater over time. The restriction on groundwater use may be modified or eased if the UDEQ determines it is appropriate, based on analytical results.

This paragraph applies to groundwater encountered during a normal work activity such as underground or in ground utility placement, in which the groundwater needs to be removed to facilitate that work activity. Groundwater management options are intended to comply with the principles of non-degradation in R315-101-3. In the event that temporary excavation dewatering is needed to facilitate a work activity, any groundwater to be extracted will be immediately characterized for pH and metals constituents and managed accordingly, unless it is to be returned directly to the aquifer from which it originated as provided below, or is otherwise required, such as for worker health and safety. No groundwater with constituent concentrations above background levels may be placed into an on-site retention pond, placed on uncontaminated soil, or placed on treated soils. Groundwater that does not exhibit hazardous waste characteristics may be placed into any of the non-remediated existing alum ponds, other than the Northwest or Harvest Ponds. However, if groundwater is encountered that exhibits hazardous waste characteristics due to its constituents or pH, it may be consolidated with similar existing onsite materials (currently in the Northwest and Harvest Ponds). Groundwater may be discharged offsite to a storm water system, sanitary sewer system, the Lee Drain, and the Brighton Canal with prior approval from Utah Division of Water Quality. Groundwater that contains a hazardous waste characteristic must be managed according to applicable rules, except that in all cases, groundwater that is encountered may be returned directly to the aquifer from which it originated within the area adjacent to the ongoing work so long as the return of that groundwater does not meet the criteria of an injection well as defined at Utah Admin. Code R317-7-2.53. Groundwater that does not exceed background concentrations of constituents does not have a restriction on its disposition or usage by the Utah Division of Solid and Hazardous Waste, except that in all cases ground water cannot be used to dilute a hazardous waste.

4.3 Hazard Notification

Controls provided by the site development (buildings, paved areas, landscaping, etc.) will render all potential exposure pathways to future commercial workers incomplete. Therefore, no notification beyond implementation of all other requirements of this SMP is warranted for future commercial workers. If initial commercial workers occupy a portion of the site before the development establishes sitewide exposure controls, potential exposure pathways may temporarily be complete (e.g., for commercial workers outside of buildings). Under these conditions, the risk levels for the commercial worker are significantly below the regulatory standard of 1×10^{-4} (carcinogenic risk) and non-carcinogenic hazard index of 1. However, because the potential for exposure will exist for the initial commercial workers, these workers will be notified of the existing hazard beneath the site and of methods to minimize the risks associated with the hazard.

Future construction workers who excavate into subsurface soils and/or groundwater will be exposed to constituents by the exposure pathways evaluated in the risk assessment. Under these conditions, the risk levels do not exceed the regulatory standard of 1×10^{-4} (carcinogenic risk) and non-carcinogenic hazard index of 1. Because the exposure pathways will be complete, future construction workers involved in excavation within the site shall be notified of the existing hazards and procedures to minimize the potential for exposure to site constituents. This notification may be provided in the form of a fact sheet, developed by the Owner, to be incorporated into the construction worker's health and safety program. A qualified person shall write the notifications.

The Northwest and Harvest ponds will be marked with appropriate signage to warn of the presence of ponded liquids that exhibit hazardous waste characteristics. This signage will be maintained until no hazardous waste remains. Remediation workers who deal directly with these liquids will be required to have current OSHA safety training as required 29 CFR 1910.120.

4.4 Soil Excavation

Based on the risk levels estimated for future construction workers, exposure to constituents in soils through excavation for construction purposes will not result in risk levels exceeding the standards set forth in UAC R315-101-6(d). Therefore, restrictions on excavation are not necessary beyond hazard notification in accordance with Section 4.3 above. However, since the soils contain inorganic constituents at concentrations exceeding natural background levels, soils excavated from the property soils excavated from the property must be properly managed to ensure that they are not deposited at any offsite location used for residential purposes. Therefore, all excavated material from the property shall either remain on the property or be disposed at an appropriately licensed treatment, storage, and disposal (TSD) facility. Based on the characteristics of the untreated and treated alum materials, any soil resulting from excavation activities would not be classified as a hazardous waste and would likely be accepted for disposal

as solid waste at a properly permitted landfill facility. Removal of soils off of the site to any other location or facility, including a soil recycling facility, will require UDEQ approval.

4.5 Enforcement

The above site management actions are intended to follow title to the land in perpetuity through a deed notice, and shall apply to and bind all subsequent property owners unless subsequent determinations by the Utah Division of Solid & Hazardous Waste or its successors indicate that the remaining level of risk is sufficiently low that the site management requirements may be reduced or eliminated.

The above site management requirements shall be imposed and enforced on Ninigret Technology Park as the current owner pursuant to recorded deed notices and on successors in title through deed restrictions. Following approval of this Site Management Plan, Ninigret Technology Park will file and record a Notice of Site Management Plan for the Eastern Alum Ponds and Deed Notice, copies of which are attached hereto as Attachments 1 and 2, providing notice of its obligations concerning access and site management requirements on the property. Additionally, effective the date that these documents are recorded in the Salt Lake County Recorder's Office, each deed, title or other instrument of conveyance conveying an interest in the property executed by Ninigret Technology Park or its successors in title to the property shall include a notice stating that the property is subject to this Site Management Plan and shall reference the recorded location of the Site Management plan and the restrictions applicable to the property under the Site Management Plan. The above site management requirements are intended to follow title to land in perpetuity unless subsequent determinations by the Utah Division of Solid and Hazardous Waste or its successors indicate that the remaining level of risk to human health and the environment on the site is sufficiently low that the site management requirements may either be reduced or eliminated in their entirety.

5.0 PROPERTY ACCESS

Commencing on the date of approval of this Site Management Plan and in accordance with Paragraph 59 of the Stipulation and Consent Agreement No 92060130 ("Consent Agreement") between the Utah Solid and Hazardous Waste Control Board ("Board") and Engelhard Corporation, the predecessor-in-title to the property, all activities conducted by Ninigret Technology Park under this Site Management Plan shall be subject to inspection and enforcement by the Board in accordance with procedures in the Utah Solid and Hazardous Waste Act, Section 19-6-101 et seq., Utah Code Annotated (1953 as amended). Ninigret Technology Park shall provide the Utah Department of Environmental Quality, Division of Solid and Hazardous Waste and its representatives and its authorized contractors, with access at all reasonable times to the property for the purpose of monitoring, sampling and observing activities carried out under the Site Management Plan. These individuals shall conduct themselves in a safe

and prudent manner in accordance with the health and safety standards of the Utah Department of Environmental Quality, Division of Solid and Hazardous Waste.

6.0 MONITORING REQUIREMENTS

A groundwater monitoring plan will be established to monitor concentrations of metals and pH in the groundwater beneath the site. The plan will specify the number and location of monitoring points, types of analyses, frequency and duration of monitoring. The groundwater monitoring plan will be designed to determine whether elevated constituent concentrations in groundwater persist beneath the site and/or have migrated from the site, but will also be designed to accommodate future land development within the site boundaries. Based on the results of groundwater monitoring, the potential need for groundwater containment or treatment will be evaluated and implemented, if necessary, to protect human health and the environment. The groundwater monitoring plan will initially be developed for the eastern alum ponds of SWMU #20, but will later be incorporated into a site-wide groundwater monitoring program encompassing the remaining portions of the former Engelhard facility where groundwater monitoring is necessary. A groundwater monitoring plan for the eastern alum ponds will be prepared and submitted for UDEQ review within sixty (60) days following approval of this site management plan.

Monitoring to ensure compliance with land use restrictions, groundwater use restrictions, limited excavation restrictions, and implementation of the groundwater monitoring program shall be the responsibility of the property owner and/or its assigns. These site management actions will be implemented concurrently with the construction and development of the site.

Monitoring reports documenting the state of compliance with these site management requirements are to be prepared annually and submitted to the Utah Division of Solid & Hazardous Waste (DSHW). Groundwater monitoring reports are to be submitted to the DSHW within one (1) month following the completion of each groundwater sampling event and receipt of all analytical results.

7.0 PROCEDURES IF SITE MANAGEMENT REQUIREMENTS ARE BREACHED

The stated site management requirements will ensure continued protectiveness of human health and the environment based on current and future land use. If and when the Property Owner and/or its assigns (Property Owner) becomes aware of a deviation from the site management plan requirements the Property Owner shall notify DSHW within five (5) calendar days of their becoming aware of the deviation. The Property Owner will submit to DSHW a written report within twenty-five (25) days, detailing the nature of the deviation and the Owner's evaluation. The Property Owner and DSHW will collectively re-evaluate whether the existing site management practices compromise

the level of protection afforded by the original site management requirements and, if so, the need for alternate site management requirements will be evaluated to provide a comparable level of protection. Any proposed modification to the site management plan requirements will require UDEQ approval.

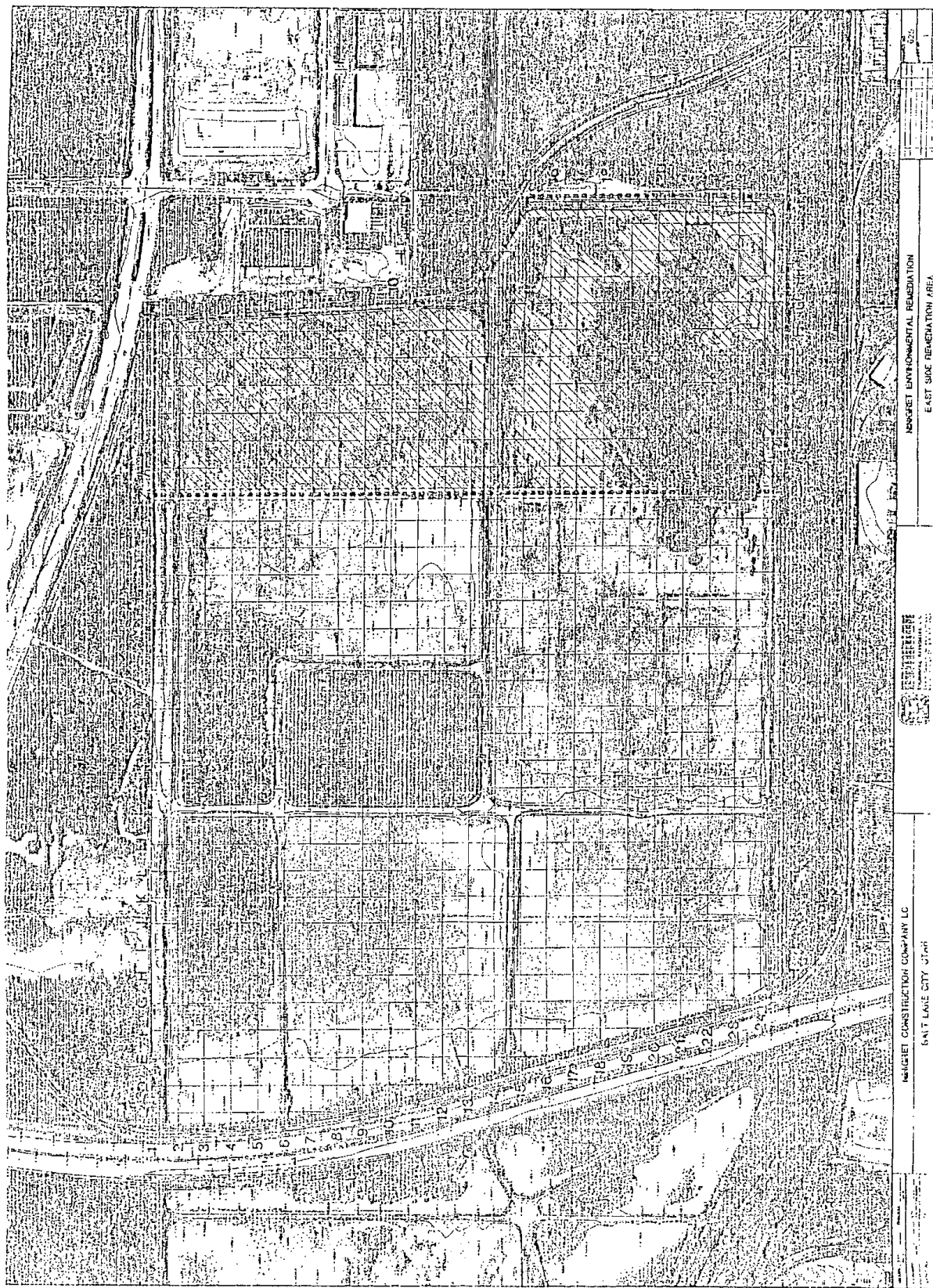
8.0 REFERENCES

- Millennium Science & Engineering, 2004a. *Responses to Division Comments on Western Alum Ponds Corrective Action Report, Former Engelhard Facility, Salt Lake City, Utah* (January 2004)
- Millennium Science & Engineering, 2004b. *Alum Sludge Stabilization Corrective Action Report, Eastern Alum Ponds Initial Treatment Area, Former Engelhard Facility, Salt Lake City, Utah* (Interim Draft, May 2004)
- Millennium Science & Engineering, 2004c. *Site Management Plan for the Western Alum Ponds (Western Portion of SWMU #20), Engelhard Facility, Salt Lake City, Utah* (Final Version, June 2004)
- Millennium Science & Engineering, 2004d. *Human Health Risk Assessment, Eastern Alum Ponds, Former Engelhard Facility, Salt Lake City, Utah* (July 2004)
- Millennium Science & Engineering, 2004e. *Ecological Risk Assessment, Eastern Alum Ponds, Former Engelhard Facility, Salt Lake City, Utah* (July 2004)
- Millennium Science & Engineering, 2003a. *Eastern Alum Ponds Corrective Action Plan, Former Engelhard Facility, Salt Lake City, Utah* (January 2003)
- Millennium Science & Engineering, 2003b. *Alum Sludge Stabilization Corrective Action Report, Western Alum Ponds, Former Engelhard Facility, Salt Lake City, Utah* (February 2003)
- Millennium Science & Engineering, 2003c. *Ecological Risk Assessment, Former Engelhard Facility, Western Alum Ponds, Salt Lake City, Utah* (April 2003, Revised August 2003)
- Millennium Science & Engineering, 2002. *Addendum to Corrective Action Plan (including DSHW comments and responses), Engelhard Facility, Salt Lake City, Utah* (September 2002)
- Millennium Science & Engineering, 2001a. *Alum Sludge Stabilization Corrective Action Plan, Engelhard Facility, Salt Lake City, Utah* (March 2001)

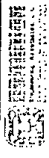
Millennium Science & Engineering, 2001b. *Sampling & Analysis Plan and Quality Assurance Plan for Risk Assessment of the Western Alum Ponds, Engelhard Facility, Salt Lake City, Utah*, (March 9, 2001, Revised June 21, 2001)

Millennium Science & Engineering, 2001c. *Sampling & Analysis Plan/Quality Assurance Plan for Characterization of Solid Waste Management Units #1, #2, and #20, Engelhard Facility, Salt Lake City, Utah*, (May 2001, Revised June 21, 2001)

Millennium Science & Engineering, 2001d. *Baseline Human Health Risk Assessment for the Western Alum Ponds, Engelhard Facility, 2550 West Andrew Avenue, Salt Lake City, Utah* (October 10, 2001)



HANCOCK ENVIRONMENTAL REMEDIATION
 EAST SIDE REMEDIATION AREA



HANCOCK CONSTRUCTION COMPANY LC
 SAINT LOUIS CITY, MO

WHEN RECORDED, RETURN TO:

Randolph G. Abood
Ninigret Technology Park, L.C.
4750 West 2100 South, Suite 150
Salt Lake City, Utah 84120

**NOTICE OF SITE MANAGEMENT PLAN
FOR THE EASTERN ALUM PONDS**

This NOTICE OF SITE MANAGEMENT PLAN FOR THE EASTERN ALUM PONDS is executed by Ninigret Technology Park, L.C., the Owner under that certain Site Management Plan for the Eastern Alum Ponds (the "Site Management Plan") submitted to and approved by the Utah Department of Environmental Quality, Utah Division of Solid and Hazardous Waste, a certified copy of which is attached hereto as Exhibit "A" and incorporated herein by this reference, and is made with respect to the certain real property located in Salt Lake County, Utah (the "Property"), which is more particularly described in Exhibit "B" attached hereto and incorporated herein by this reference.

NOTICE is hereby given of the approval of the Site Management Plan with respect to the Property described in Exhibit "B."

DATED this ____ day of _____ 2004.

OWNER

NINIGRET TECHNOLOGY PARK, L.C.
by its sole manager:

THE NINIGRET GROUP, L.C.,
A Utah limited liability company

By _____
Randolph G. Abood
Managing Member

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2004, by Randolph G. Abood, the Managing Member of The Ninigret Group, L.C., the sole manager of Ninigret Technology Park, L.C.

My Commission Expires:

NOTARY PUBLIC
Residing at: _____

EXHIBIT A
SITE MANAGEMENT PLAN

EXHIBIT B

EAST PARCEL PROPERTY DESCRIPTION

**Legal Description for
Ninigret Technology East, L.C. Parcel
Lying Westerly of Brighton Canal &
"KK" Geogrid Line**

A parcel of land located in the Southeast quarter of Section 7, the Southwest quarter of Section 8, the Northwest quarter of Section 17, and the Northeast quarter of Section 18, Township 1 South, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at the rebar and cap marked "BINGHAM ENG", found at the Northwest corner of Lot A, Sorenson Technology Park Plat 1 (as recorded in the Office of the Salt Lake County Recorder in Book 96-4P at Page 132), which point is 2196.87 feet North 89E54'49" East along the section line to the West line of said Plat 1 and 40.60 feet North 03E29'33" West along said line and 2.92 feet North 19E27'43" East from the Salt Lake County survey monument found marking the Southwest corner of said Section 8 (basis of bearings being South 89E58'00" East 2637.65 feet between the Salt Lake County survey monuments found marking the Southwest corner and the South quarter corner of said Section 7), and running thence along the West line of said Lot A the following two courses: (1) South 19E27'43" West 2.92 feet; (2) South 03E29'33" East 1002.37 feet to the Southwest corner of said Lot A; thence South 89E51'13" East 25.69 feet, more or less, to the center line of the existing Brighton Canal; thence along said line the following three (3) courses: (1) South 03E16'27" East 64.89 feet; (2) South 23E01'22" East 103.20 feet; (3) South 59E11'22" East 371.87 feet; thence South 00E35'39" East 1005.43 feet to the North line of that certain "Parcel 5" described under the heading "Excepting from said Parcel the following six parcels" in Book 6031 at Page 2704 in the Office of the Salt Lake County Recorder; thence South 89E57'11" West 2900.53 feet along the North line of the Utah Power and Light right-of-way described in Book 2276 at Page 0495 in the Office of the Salt Lake County Recorder to a point on the Easterly right-of-way line of Bangerter Highway, as shown on those certain sheets 6, 7 and 8 of Utah State Department of Highways Project No. RS-0162(3) (West Valley Highway 2100 South to 700 South), dated 1/77; thence running along said Easterly line the following nine (9) courses: (1) North 42E08'12" West 24.43 feet; (2) North 32E51'07" West 101.85 feet; (3) North 27E01'57" West 101.98 feet; (4) North 15E43'22" West 1170.64 feet to the point of tangency with a 3688.96-foot radius curve to the right; (5) Northwesterly 996.81 feet along the arc of said curve through a central angle of 15E28'56" (chord bears 993.78 feet North 07E58'54" West) to a tangent line; (6) North 00E14'32" West 15.26 feet; (7) South 89E58'06" West 3.43 feet; (8) North 00E27'29" West 29.51 feet; (9) South 89E32'31" West 0.37 feet to the Southeasterly line of a relocated Railroad right-of-way, as shown on that certain Salt Lake City Corporation Project No. 38-808-4 (California Avenue right-of-way),

sheets 2 (dated 4/6/94 and labeled Vault No. 970091) and 3 (dated 3/31/94 and labeled Vault No. 970092), completed by H. W. Lochner, Inc, also being a point of non-tangency with a 539.00-foot radius curve to the right (radius point bears South 89E53'15" East), and running along said relocated railroad right-of-way the following four (4) courses: (1) Northeasterly 496.50 feet along the arc of said curve through a central angle of 52E46'39" (chord bears North 26E30'05" East 479.13 feet) to a tangent line; (2) North 52E53'24" East 304.83 feet to the point of tangency with a 609.00-foot radius curve to the left; (3) Northeasterly 327.45 feet along the arc of said curve through a central angle of 30E48'25" (chord bears North 37E29'12" East 323.52 feet) to a tangent line; (4) North 22E04'59" East 80.00 feet to the Southwesterly line of said California Avenue, as shown on said sheets 2 and 3; thence along said Southwesterly line the following three (3) courses: (1) South 68E39'23" East 774.67 feet; (2) South 67E55'01" East 1012.83 feet to the point of tangency of a 3885.00-foot radius curve to the left; (3) Southeasterly 701.48 feet along the arc of said curve through a central angle of 10E20'43" (chord bears South 73E05'22" East 700.53 feet) to the point of beginning. Contains 198.70 acres, more or less.

Attachment 2

WHEN RECORDED, RETURN TO:

Randolph G. Abood
Ninigret Technology Park, L.C.
4750 West 2100 South, Suite 150
Salt Lake City, Utah 84120

NOTICE OF OBLIGATIONS

This NOTICE OF OBLIGATIONS is executed by Ninigret Technology Park, L.C. ("Ninigret"), the Owner under that certain Site Management Plan for the Eastern Alum Ponds (the "Site Management Plan") submitted to and approved by the Utah Department of Environmental Quality, Division of Solid and Hazardous Waste ("UDEQ"), and is made with respect to that certain real property located in Salt Lake County, Utah (the "Property"), which is more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference.

NOTICE is hereby given that:

1. A certified copy of the Site Management Plan is attached to a Notice of Site Management Plan for the Eastern Alum Ponds, dated _____, ____ 2004, which will be recorded in the Salt Lake County Recorder's Office contemporaneously with this Notice of Obligations.

2. Pursuant to Section 4 of the Site Management Plan, and effective the date the Notice of Site Management Plan for the Eastern Alum Ponds is recorded, each deed, title or other instrument of conveyance conveying an interest in the Property executed by Ninigret, or its successors in title to the Property, shall include a notice stating that the Property is subject to the Site Management Plan and shall reference the recorded location of the Site Management Plan and the restrictions applicable to the Property under the Site Management Plan.

3. The Property is subject to certain obligations concerning the implementation, administration and maintenance of the site management requirements pursuant to Section 4 of the Site Management Plan, which is more particularly described in Exhibit "B" attached hereto and incorporated herein by this reference.

4. The Property is subject to various obligations and duties concerning the providing of access to the Property pursuant to Section 5 of the Site Management Plan, which is more particularly described in Exhibit "B" attached hereto and incorporated herein by this reference.

DATED this ____ day of _____ 2004.

OWNER

NINIGRET TECHNOLOGY PARK, L.C.
by its sole manager:

THE NINIGRET GROUP, L.C.,
A Utah limited liability company

By _____
Randolph G. Abood
Managing Member

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2004, by Randolph G. Abood, the Managing Member of The Ninigret Group, L.C., the sole manager of Ninigret Technology Park, L.C.

My Commission Expires:

NOTARY PUBLIC
Residing at: _____

EXHIBIT A

EAST PARCEL PROPERTY DESCRIPTION

**Legal Description for
Ninigret Technology East, L.C. Parcel
Lying Westerly of Brighton Canal &
"KK" Geogrid Line**

A parcel of land located in the Southeast quarter of Section 7, the Southwest quarter of Section 8, the Northwest quarter of Section 17, and the Northeast quarter of Section 18, Township 1 South, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at the rebar and cap marked "BINGHAM ENG", found at the Northwest corner of Lot A, Sorenson Technology Park Plat 1 (as recorded in the Office of the Salt Lake County Recorder in Book 96-4P at Page 132), which point is 2196.87 feet North 89E54'49" East along the section line to the West line of said Plat 1 and 40.60 feet North 03E29'33" West along said line and 2.92 feet North 19E27'43" East from the Salt Lake County survey monument found marking the Southwest corner of said Section 8 (basis of bearings being South 89E58'00" East 2637.65 feet between the Salt Lake County survey monuments found marking the Southwest corner and the South quarter corner of said Section 7), and running thence along the West line of said Lot A the following two courses: (1) South 19E27'43" West 2.92 feet; (2) South 03E29'33" East 1002.37 feet to the Southwest corner of said Lot A; thence South 89E51'13" East 25.69 feet, more or less, to the center line of the existing Brighton Canal; thence along said line the following three (3) courses: (1) South 03E16'27" East 64.89 feet; (2) South 23E01'22" East 103.20 feet; (3) South 59E11'22" East 371.87 feet; thence South 00E35'39" East 1005.43 feet to the North line of that certain "Parcel 5" described under the heading "Excepting from said Parcel the following six parcels" in Book 6031 at Page 2704 in the Office of the Salt Lake County Recorder; thence South 89E57'11" West 2900.53 feet along the North line of the Utah Power and Light right-of-way described in Book 2276 at Page 0495 in the Office of the Salt Lake County Recorder to a point on the Easterly right-of-way line of Bangerter Highway, as shown on those certain sheets 6, 7 and 8 of Utah State Department of Highways Project No. RS-0162(3) (West Valley Highway 2100 South to 700 South), dated 1/77; thence running along said Easterly line the following nine (9) courses: (1) North 42E08'12" West 24.43 feet; (2) North 32E51'07" West 101.85 feet; (3) North 27E01'57" West 101.98 feet; (4) North 15E43'22" West 1170.64 feet to the point of tangency with a 3688.96-foot radius curve to the right; (5) Northwesterly 996.81 feet along the arc of said curve through a central angle of 15E28'56" (chord bears 993.78 feet North 07E58'54" West) to a tangent line; (6) North 00E14'32" West 15.26 feet; (7) South 89E58'06" West 3.43 feet; (8) North 00E27'29" West 29.51 feet; (9) South 89E32'31" West 0.37 feet to the Southeasterly line of a relocated Railroad right-of-way, as shown on that certain Salt Lake City Corporation Project No. 38-808-4 (California Avenue right-of-way),

sheets 2 (dated 4/6/94 and labeled Vault No. 970091) and 3 (dated 3/31/94 and labeled Vault No. 970092), completed by H. W. Lochner, Inc, also being a point of non-tangency with a 539.00-foot radius curve to the right (radius point bears South 89E53'15" East), and running along said relocated railroad right-of-way the following four (4) courses: (1) Northeasterly 496.50 feet along the arc of said curve through a central angle of 52E46'39" (chord bears North 26E30'05" East 479.13 feet) to a tangent line; (2) North 52E53'24" East 304.83 feet to the point of tangency with a 609.00-foot radius curve to the left; (3) Northeasterly 327.45 feet along the arc of said curve through a central angle of 30E48'25" (chord bears North 37E29'12" East 323.52 feet) to a tangent line; (4) North 22E04'59" East 80.00 feet to the Southwesterly line of said California Avenue, as shown on said sheets 2 and 3; thence along said Southwesterly line the following three (3) courses: (1) South 68E39'23" East 774.67 feet; (2) South 67E55'01" East 1012.83 feet to the point of tangency of a 3885.00-foot radius curve to the left; (3) Southeasterly 701.48 feet along the arc of said curve through a central angle of 10E20'43" (chord bears South 73E05'22" East 700.53 feet) to the point of beginning. Contains 198.70 acres, more or less.

EXHIBIT B

**NOTICE OF OBLIGATIONS CONCERNING ACCESS AND
SITE MANAGEMENT REQUIREMENTS**

This NOTICE OF OBLIGATIONS CONCERNING ACCESS AND SITE MANAGEMENT REQUIREMENTS is executed by Ninigret Technology Park, L.C. ("Ninigret"), the Owner under that certain Site Management Plan for the Eastern Alum Ponds (the "Site Management Plan") approved by the Utah Department of Environmental Quality, Division of Solid and Hazardous Waste ("UDEQ"), and is made with respect to that certain real property located in Salt Lake County, Utah (the "Property"), which is more particularly described in Exhibit "A" attached to the Notice of Obligations and incorporated herein by this reference.

NOTICE is hereby given, pursuant to the requirements of Sections 4 and 5 of the Site Management Plan, that the following obligations to provide access and to comply with site management requirements, are imposed on the Property under the Site Management Plan:

ACCESS AND SITE MANAGEMENT REQUIREMENTS

1. Commencing on the date of approval of the above-referenced Site Management Plan and in accordance with Paragraph 59 of the Stipulation and Consent Agreement No. 92060130 (the "Consent Agreement") between the Utah Solid and Hazardous Waste Control Board ("Board") and Engelhard Corporation, the predecessor-in-title to the Property, a copy of which is attached hereto as Attachment "A" and incorporated herein by this reference:

(a) Under the Site Management Plan, all activities conducted by Ninigret shall be subject to inspection and enforcement by the Board in accordance with the procedures in the Utah Solid and Hazardous Waste Act, Section 19-6-101 *et seq.*, Utah Code Annotated (1953) as amended.

(b) Ninigret and each of its successors in title shall provide the UDEQ and its representatives and its authorized contractors with access at all reasonable times to the Property for the purpose of conducting sampling and monitoring and observing activities carried out under the Site Management Plan. These individuals shall conduct themselves in a safe and prudent manner in accordance with the health and safety standards of the UDEQ.

2. Ninigret and its successors shall comply with the following site management requirements applicable to the Property:

(a) Land use restrictions shall be imposed to prevent residential development of the Property or use of the Property for growing edible crops or for child care or early education school purposes and to ensure that the Property is used solely for commercial and industrial purposes in the future.

(b) All notifications required by Paragraph 4.4 of the Site Management Plan shall be given in accordance with that paragraph.

(c) Groundwater restrictions shall be imposed to prevent extraction and use of groundwater from beneath the Property. A separate groundwater monitoring program will be established to monitor concentrations of chemicals in groundwater beneath the Property over time. The restriction on groundwater use may be modified or eased if the UDEQ determines it is appropriate, based on analytical results.

(d) All excavated material from the Property must either remain on the Property or be disposed of at an appropriately licensed treatment, storage and disposal facility.

(e) Neither the Site Management Plan, nor this Notice of Obligation, may be modified without the consent of UDEQ, which consent shall not be unreasonably withheld.

3. Ninigret shall impose each of the restrictions set out in this Notice on its successors in any deed or transfer of interest in the Property, which restrictions are intended to run with the Property and bind successors to the Property in perpetuity, unless UDEQ or its successors determine that such requirements can be reduced or eliminated in the future.

DATED this ____ day of _____, 2004.

OWNER

NINIGRET TECHNOLOGY PARK, L.C.
by its sole manager:

THE NINIGRET GROUP, L.C.,
A Utah limited liability company

By _____
Randolph G. Abood
Managing Member

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2004, by Randolph G. Abood, the Managing Member of The Ninigret Group, L.C., the sole manager of Ninigret Technology Park, L.C.

My Commission Expires: _____
NOTARY PUBLIC
Residing at: _____

ATTACHMENT A
STIPULATION AND CONSENT AGREEMENT

429476.3

BK 9058 PG 2207

EXHIBIT B

EAST PARCEL PROPERTY DESCRIPTION

**Legal Description for
Ninigret Technology East, L.C. Parcel
Lying Westerly of Brighton Canal &
"KK" Geogrid Line**

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sheets 2 (dated 4/6/94 and labeled Vault No. 970091) and 3 (dated 3/31/94 and labeled Vault No. 970092), completed by H. W. Lochner, Inc., also being a point of non-tangency with a 539.00-foot radius curve to the right (radius point bears South 89°53'15" East), and running along said relocated railroad right-of-way the following four (4) courses: (1) Northeasterly 496.50 feet along the arc of said curve through a central angle of 52°46'39" (chord bears North 26°30'05" East 479.13 feet) to a tangent line; (2) North 52°53'24" East 304.83 feet to the point of tangency with a 609.00-foot radius curve to the left; (3) Northeasterly 327.45 feet along the arc of said curve through a central angle of 30°48'25" (chord bears North 37°29'21" East 323.52 feet) to a tangent line; (4) North 22°04'59" East 80.00 feet to the Southwesterly line of said California Avenue, as shown on said sheets 2 and 3; thence along said Southwesterly line the following three (3) courses: (1) South 68°39'23" East 774.67 feet; (2) South 67°55'01" East 1012.83 feet to the point of tangency of a 3885.00-foot radius curve to the left; (3) Southeasterly 701.48 feet along the arc of said curve through a central angle of 10°20'43" (chord bears South 73°05'22" East 700.53 feet) to the point of beginning. Contains 198.70 acres, more or less.

Part Parcel No. 15-17-100-016-4001