

2006-009822-0

Recording Dist: 401 - Fairbanks
5/5/2006 10:45 AM Pages: 1 of 7

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THIS COVER SHEET HAS BEEN ADDED TO THIS DOCUMENT TO PROVIDE SPACE FOR RECORDING DATA AND TO COMPLY WITH MARGIN REQUIREMENTS SET FORTH IN 11 AAC 06.040 OF TITLE 11 OF THE ALASKA ADMINISTRATIVE CODE.

THIS COVER SHEET APPEARS AS THE FIRST PAGE OF THE DOCUMENT IN THE OFFICIAL RECORD.

DO NOT DETACH

After recording return to:
T&J Development, LLC
735 Frars Way
Fairbanks AK 99709
 Attn: Jerry Sadler

**Notice of Environmental Contamination
&
Land Use Restrictions**

Pursuant to 18 AAC 75.375, J & J Development, LLC as the owner of the subject property, hereby provides public notice that the property located at Bentley Brothers Subdivision Fourth Addition, located within Section 2 and Section 3, Township 1 South, Range 1 West, Fairbanks Meridian, Fairbanks, Alaska, and more particularly described as follows: Tract A, and Lots 12 through 18, BENTLEY BROTHERS SUBDIVISION, FOURTH ADDITION, Plat No. 2006-73; Records of the Fbks Recording District, Fourth Judicial District. This property has been subject to a discharge or release and subsequent cleanup of oil or other hazardous substances, regulated under 18 AAC 75, Article 3 and 18 AAC 78. The release and site cleanup actions are documented in the Alaska Department of Environmental Conservation (ADEC) contaminated sites database under site number 200310925901 and file number 102.38.123.

ADEC reviewed and approved, subject to these institutional controls, the cleanup of this property as protective of human health, safety, welfare and the environment. No further cleanup is necessary at this site unless new information becomes available that indicates to ADEC that the site may pose an unacceptable risk to human health, safety, welfare or the environment.

ADEC determined, in accordance with 18 AAC 75.325(f)(1), that site cleanup has been performed to the maximum extent practicable even though soil and ground water contamination at concentrations above the most stringent 18 AAC 75 cleanup levels exist. An analysis of the human health risks associated with the soil and ground water contamination can be found in SLR Alaska's report titled *Method 4 Human Health and Screening Ecological Risk Assessment Portions of Tax Lots 201 and 203 Bentley Trust Property Fairbanks, Alaska* dated April 2006 on file with ADEC.

This property (and the ADEC decision associated with it) are subject to the following conditions:

1. The ground water within the property boundaries can not be withdrawn and used for any purposes, including but not limited to, drinking, de-watering for construction activities, or industrial cooling.
2. A portion of the property, Lot 17 in particular, has known contaminated soil that can not be excavated and transported off the lot without approval from ADEC. The approximate area of the contaminated soil is identified on the ALTA Geosciences, Inc. figure titled "TCE in Soil Vapor July 2004" from the report titled *Soil Vapor Survey (July 2004)* that is on file with ADEC. The area of contamination may be approximated by the extent of the soil vapor plume. Contaminant soil concentrations and specific sampling locations are provided in the ALTA Geosciences, Inc. report titled *Air Sparging/Soil Vapor Extraction System Installation Report (October & November 2003)*.
3. The contaminated soil on Lot 17 may be excavated and replaced in the same location, or transported to another location within the boundary of Lot 17 during the construction phase without ADEC approval. If the contaminated soil is transported to another location within the boundary of Lot 17, a final as-built drawing showing the final location of the



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contaminated soil shall be provided to ADEC, and the as-built drawing shall be recorded with the property deed.

In addition, the owner of the adjacent Lot 19/Tract A as depicted on the attached Bentley Brothers Subdivision 4th Addition Revised Preliminary Plat (The Planning Map) may agree to allow contaminated soils on Lot 17 to be placed on Lot 19/Tract A. In the event this occurs, a final as-built drawing showing the location of the contaminated soil shall be provided to ADEC, and the as-built drawing shall be recorded with the property deed.

4. In the event Lot 17 and Lot 19/Tract A, as depicted in the Planning Map, are developed by the same entity, the contaminated soil on Lot 17 may be excavated and replaced in the same location, or transported to another location within the boundaries of Lots 17 and/or Lot 19/Tract A during the construction phase without ADEC approval. If the contaminated soil is transported to another location within the boundaries of Lots 17 and/or Lot 19/Tract A, a final as-built drawing showing the final location of the contaminated soil shall be provided to ADEC, and the as-built drawing shall be recorded with the property deed.
5. Detection of any other areas of soil contamination during property development or maintenance shall be reported to ADEC and may be subject to the provisions of 18 AAC 75. For contaminants evaluated in the SLR Alaska risk assessment (see above), the cleanup standards are the alternative cleanup levels determined in the risk assessment. For contaminants not evaluated in the SLR Alaska risk assessment, the cleanup standards are 18 AAC 75.341 Tables B1 and B2 and the 18 AAC 75.345 Table C ground water levels.

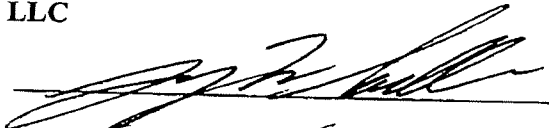
Attached are the property plat, the ALTA Geosciences soil vapor figure referenced in Item 2 above, and Planning Map referenced in items 3 and 4 above.

This notice remains in effect until a written determination from ADEC is recorded that states that the soil and groundwater at the site has been shown to meet the most stringent migration to groundwater soil cleanup levels in 18 AAC 75.341 Tables B1 and B2 and the 18 AAC 75.345 Table C groundwater levels.

Please return original copy of this notice to the address below:

J & J Development, LLC

Signature:



Printed Name:

Jerry L. Sadler

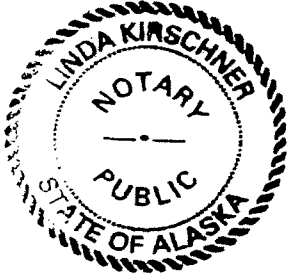
Mailing Address:

PO Box 72578

Fairbanks, AK 99707



(seal)



Subscribed and sworn to before me this 3rd day of May, 2006.

Notary Public in and for the State of Linda A. Kirschner
My commission expires: 8/26/09

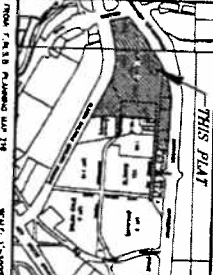
Note: Please refer to 11 AAC 05.010 (a)(14) for the required fee. The information requested on this form should be typed or legibly printed in English. Any attachments or exhibits must not exceed 8.5" x 14". This form is intended to comply with the recording requirements of AS 40.17.030 and 11 AAC 06.040.

- Attachment 1: Bentley Brothers Subdivision 4th Addition Plat
- Attachment 2: Bentley Brothers Subdivision 4th Addition Revised Preliminary Plat
(The Planning Map)
- Attachment 3: ALTA Geosciences, Inc. figure titled "TCE in Soil Vapor July 2004
from the report titled *Soil Vapor Survey (July 2004)*



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GRAPHIC SCALE
1" = 100'
1" = 200'

- NOTES**
1. A 1/4" scale site plan of detailed accuracy by the city engineer is printed on this plat, and the same is to be used in all proceedings.
 2. The plat is to be used in all proceedings by the city engineer and the same is to be used in all proceedings.
 3. Access to Public Utility Company on this plat is to be used in all proceedings by the city engineer and the same is to be used in all proceedings.
 4. This plat is to be used in all proceedings by the city engineer and the same is to be used in all proceedings.
 5. The plat is to be used in all proceedings by the city engineer and the same is to be used in all proceedings.
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 10. The plat is to be used in all proceedings by the city engineer and the same is to be used in all proceedings.

CERTIFICATE OF PAYMENT OF TAXES

I, the undersigned, being duly appointed and qualified as the City Engineer of the City of Anchorage, Alaska, do hereby certify that the taxes on the above described property have been paid in full to the satisfaction of the City of Anchorage, Alaska, and that the same are not a lien in favor of the City of Anchorage, Alaska, against the above described property.

Dated this _____ day of _____, 2006.

City Engineer

CERTIFICATE OF CORPORATE OWNERSHIP, INCORPORATION AND COMPLIANCE

I, the undersigned, being duly appointed and qualified as the City Engineer of the City of Anchorage, Alaska, do hereby certify that the above described property is owned by the City of Anchorage, Alaska, and that the same are not a lien in favor of the City of Anchorage, Alaska, against the above described property.

Dated this _____ day of _____, 2006.

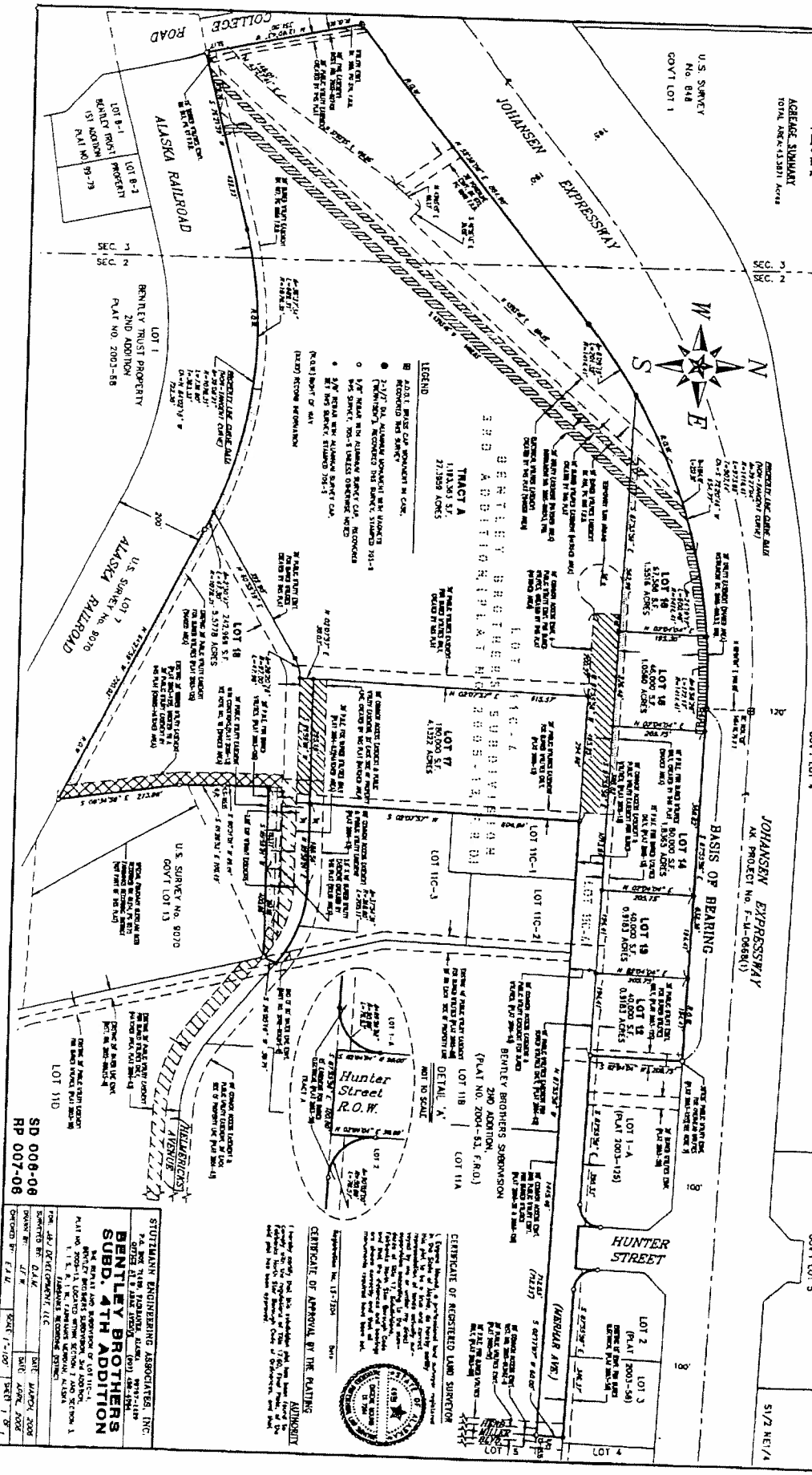
City Engineer

CERTIFICATE OF APPROVAL BY THE PLATING

I, the undersigned, being duly appointed and qualified as the City Engineer of the City of Anchorage, Alaska, do hereby certify that the above described property is owned by the City of Anchorage, Alaska, and that the same are not a lien in favor of the City of Anchorage, Alaska, against the above described property.

Dated this _____ day of _____, 2006.

City Engineer



SD 008-06
RP 007-06

STUTZMANN ENGINEERING ASSOCIATES, INC.
BENTLEY BROTHERS
SUBD. 4TH ADDITION

DATE: JANUARY, 2006
DRAWN BY: J.L.W.
CHECKED BY: J.L.W.

CERTIFICATE OF APPROVAL BY THE PLATING

I, the undersigned, being duly appointed and qualified as the City Engineer of the City of Anchorage, Alaska, do hereby certify that the above described property is owned by the City of Anchorage, Alaska, and that the same are not a lien in favor of the City of Anchorage, Alaska, against the above described property.

Dated this _____ day of _____, 2006.

City Engineer

CERTIFICATE OF REGISTERED LAND SURVEYOR

I, the undersigned, being duly appointed and qualified as a Registered Land Surveyor, do hereby certify that the above described property is owned by the City of Anchorage, Alaska, and that the same are not a lien in favor of the City of Anchorage, Alaska, against the above described property.

Dated this _____ day of _____, 2006.

Registered Land Surveyor

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Dated this _____ day of _____, 2006.

Registered Land Surveyor



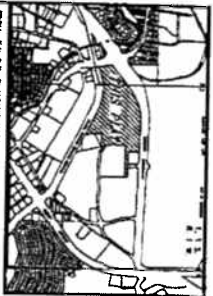
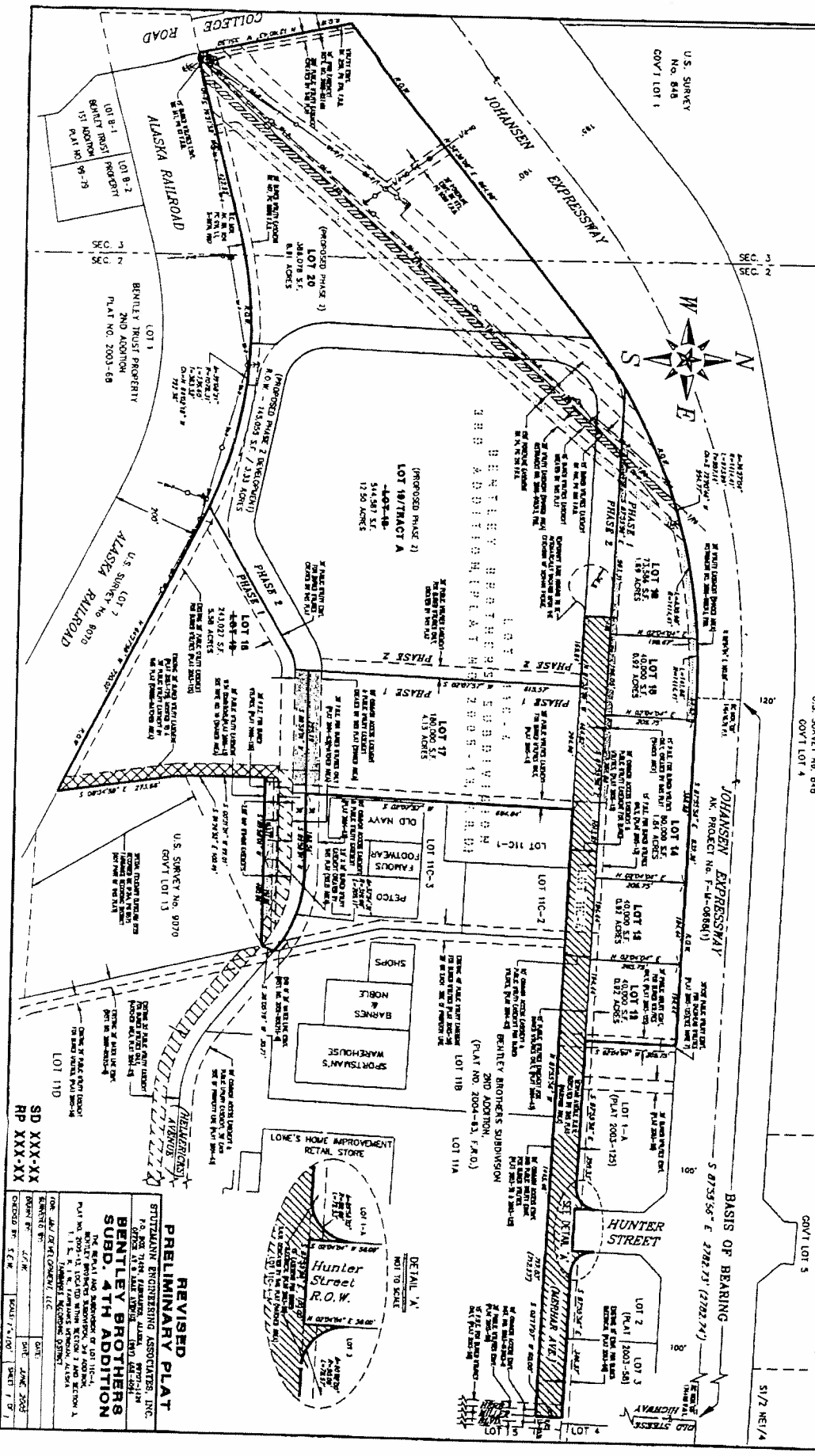
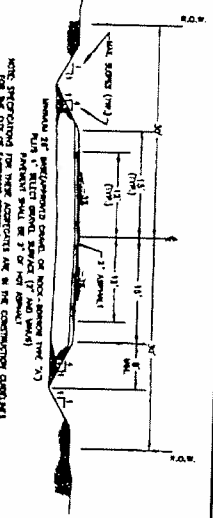
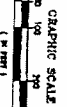


PHOTO: T.S. 888, Redwood Lake, 1974. SCALE: 1:10,000

- NOTES**
1. A 15' wide easement of right-of-way (ROW) for the utility easement is provided for the installation, maintenance, repair, or removal of any power lines.
 2. The utility easement and ROW shall be subject to utility easements for the installation, maintenance, repair, or removal of any power lines.
 3. Access to public utility easements on this plat is provided to utility companies by the following: easements of utility easement.
 4. The utility easement shall be subject to the utility easements of the Alaska Department of Transportation.
 5. The utility easement shall be subject to the utility easements of the Alaska Department of Transportation.
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ACREAGE SUMMARY

NET LOT AREA:	40.33 Acres
DEDICATED ROAD E.A.R.:	2.86 Acres
TOTAL AREA:	43.19 Acres



REVISED PRELIMINARY PLAT

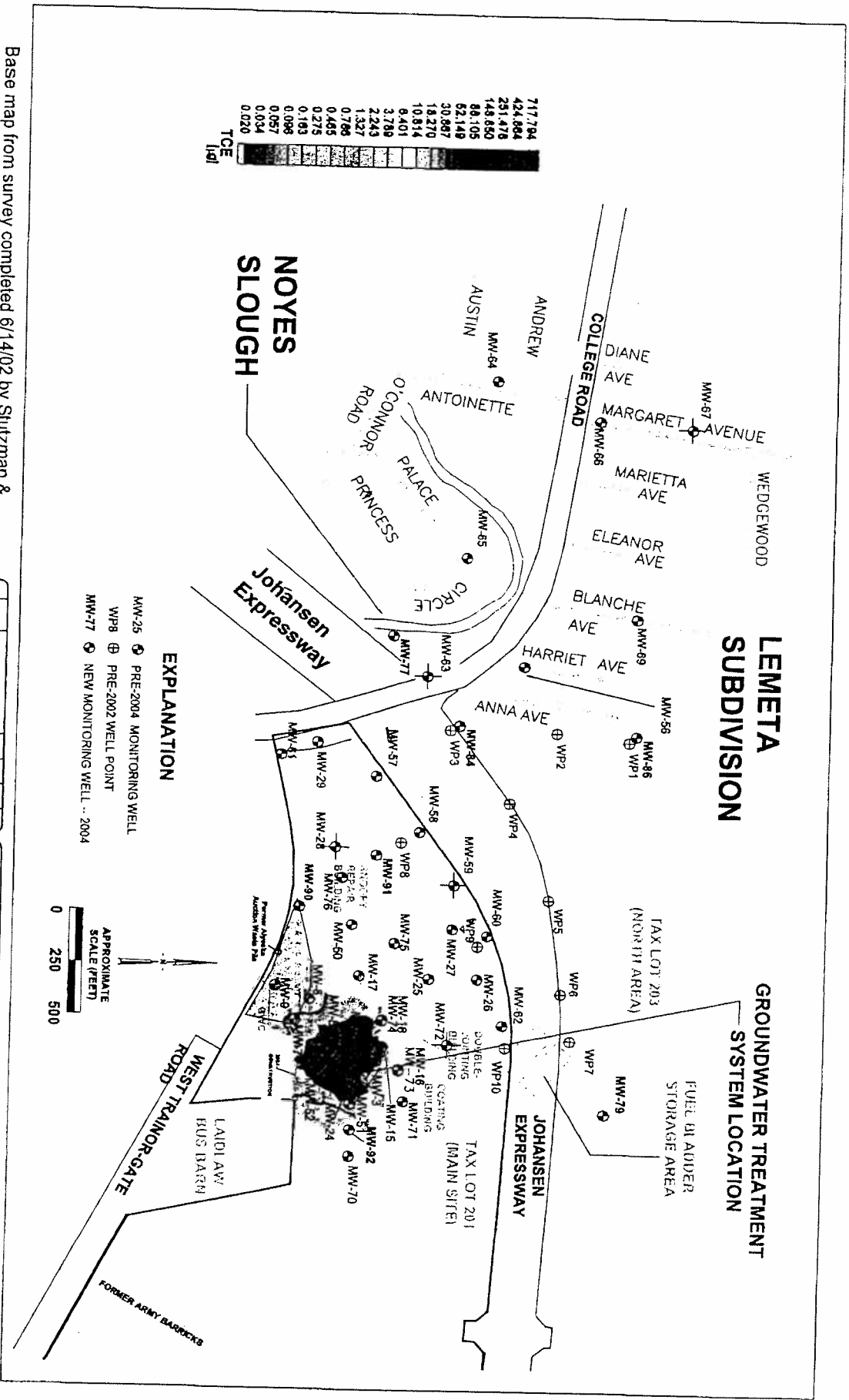
STUTZMAN ENGINEERING ASSOCIATES, INC.

BENTLEY BROTHERS SUBD. 4TH ADDITION

SD XXX-XX RP XXX-XX

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Base map from survey completed 6/14/02 by Stutzman & Associates, Fairbanks, AK. Building locations transferred from May 1 1976 aerial photography by ALTA.

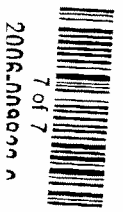


NO.	DATE	DESCRIPTION	INITIALS	REVISION

ALTA GEOSCIENCES, INC.
 Environmental & Geotechnical Solutions
 Bellevue, Washington

BENTLEY TRUST PROPERTY
 Fairbanks, Alaska
 TCE IN SOIL VAPOUR
 JULY 2004

FIGURE



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 2004.M040000