



STATE OF OREGON
**NOTICE OF ENVIRONMENTAL
CONTAMINATION**

Pursuant to ORS 205.130(2) and ORS 465.200 et
seq.

2013-003835

Klamath County, Oregon



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04/11/2013 08:56:44 AM

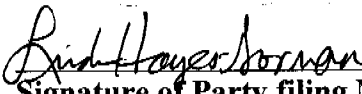
Fee: \$42.00

Owner of Record:

Walter & Sharon Badorek
4238 Onyx
Klamath Falls, OR 97603

Name of Party Filing Notice:

Oregon Department of Environmental Quality (DEQ)
700 SE Emigrant, Suite 330
Pendleton, Oregon 97801 (541) 276-4063



Signature of Party filing Notice

4/5/13
Date

**Title: Linda Hayes-Gorman, Administrator for
Department of Environmental Quality, Eastern Region**

1. Property affected: **2913 Broadmore St., 39S09E03CC, tax lot 700 in Klamath Falls, Klamath County, Oregon.** Legal description of area of deed notice is included as Exhibit A. The property is zoned for heavy industrial use and is currently occupied by a trucking company.
2. Historic releases of solvents (trichloroethene and associated breakdown products, cis-1,2-dichloroethene, trans-1,2-dichloroethene and vinyl chloride) from the Chemtura Asphalt Plant located at 2936 Hilyard Ave., Klamath Falls have impacted groundwater. Multiple phases of on- and off-site investigations and remedial actions have been performed to delineate and address the extent of the solvent contamination discovered in 1995. Shallow groundwater contamination has migrated on the southwestern corner of the property. Groundwater concentrations, exceeding generic risk-based concentrations for the ingestion & inhalation from tapwater pathways pathway as listed in DEQ's "*Risk-Based Decision Making for the Remediation of Petroleum-Contaminated Sites*" guidance dated September 22, 2003 and subsequent updates, are present.
3. The purpose of this deed notice is to provide notice that solvent contamination is present in the southwestern corner of the property. For further information regarding this notice, contact Oregon Department of Environmental Quality, Environmental Cleanup Program, Eastern Region, 700 SE Emigrant, Suite 330, Pendleton, Oregon 97801, (541) 278-4620.

AFTER RECORDING, RETURN TO: Oregon Department of Environmental Quality
Attn: Katie Robertson
700 SE Emigrant, Suite 330
Pendleton, Oregon 97801

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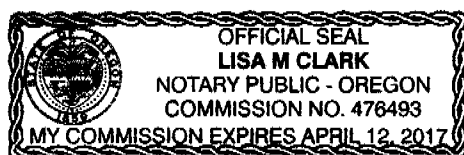
PARTY FILING: State of Oregon, Department of Environmental Quality

By: Linda Hayes-Gorman
Linda Hayes-Gorman, Administrator, Eastern Region

Date: 4/5/13

STATE OF OREGON)
) ss.
County of Deschutes)

The foregoing instrument is acknowledged before me this 5 day of April, 2013 by Linda Hayes-Gorman of the Oregon Department of Environmental Quality, on its behalf.



Lisa M Clark
NOTARY PUBLIC FOR OREGON
My commission expires: 4/12/2017

EXHIBIT A - LEGAL DESCRIPTION OF PROPERTY

A tract of land located in the South one-half ($S\frac{1}{2}$) of the Southeast one-quarter ($SE\frac{1}{4}$) of the Southwest one-quarter ($SW\frac{1}{4}$) of the Southwest one-quarter ($SW\frac{1}{4}$) of Section 3, Township 39 South, Range 9, East of the Willamette Meridian, and more particularly described as follows, to-wit:

Commencing at the Southwest (SW) corner of Section 3, Township 39 South, Range 9, East of the Willamette Meridian, Klamath County, Oregon; thence South $89^{\circ}33'35''$ East, 927.74 feet; thence North $00^{\circ}26'25''$ East, 30 feet to the true point of beginning; thence North $00^{\circ}26'25''$ East, 269.68 feet; thence South $89^{\circ}37'05''$ East, 335.67 feet; thence North $00^{\circ}12'43''$ West, approximately 30 feet to a $\frac{5}{8}$ inch iron pin and intersecting a line bearing North $89^{\circ}37'05''$ West; thence North $89^{\circ}37'05''$ West 608.97 feet to a $\frac{5}{8}$ inch iron pin; thence South $00^{\circ}17'47''$ East, 299.63 feet to a $\frac{5}{8}$ inch iron pin; thence South $89^{\circ}33'35''$ East, 269.65 feet to the true point of beginning.

SAVING AND EXCEPTING unto the Great Northern Railway Co., a Minnesota corporation, its successors and assigns, the right to maintain and use the present railway tracks upon, over and across the above described property.

ALSO EXCEPTING THEREFROM a reservation unto the Great Northern Railway Co., a Minnesota corporation, its successors and assigns forever, all iron, natural gas, coal, oil and all minerals of any nature whatsoever upon or in the lands above described together with the sole, exclusive and perpetual right to explore for, remove and dispose of the same by means or methods suitable to the Grantor, its successors and assigns, but without entering upon or using the surface of the lands above described, and in such manner as not to interfere with the use thereof by the Grantee, its successors and assigns.