Application for Use of State-owned Aquatic Lands

Applicant Name: Union Bay Investors
County: King County
Water Body: Lake Union
Type of Authorization - Use: Lease – Commercial Marina
Authorization Number: 20-A11248
Term: 12 years
Description: This agreement will allow the use of State-owned aquatic lands for the sole purpose of Commercial Marina. It is located on Lake Union, in King County, Washington.
APPLICATION FOR AUTHORIZATION TO USE STATE-OWNED AQUATIC LANDS

NO WORK CAN BE STARTED ON THE PROJECT AREA UNTIL A USE AUTHORIZATION HAS BEEN GRANTED BY THE DEPARTMENT OF NATURAL RESOURCES

I. SUBMISSION OF APPLICATION

This application form will be reviewed by the Department of Natural Resources upon receipt at the address given below, and also posted on the DNR website as public information. Applicants will be notified in writing if the application will be accepted for further review. However, this application may be rejected at any time before signed execution of a use authorization.

APPLICATION MUST BE FILLED OUT IN BLUE OR BLACK PEN

Please send the completed application form to your region land manager at:

Department of Natural Resources
Shoreline District Aquatics
950 Farman Ave N
Enumclaw, WA 98022-9282

Enclose a $25.00 non-refundable application processing fee with the application. (This fee is not required for local, state, and other government agencies).

II. APPLICANT INFORMATION

Date of Application: 4/20/2010

Authorization to be Issued To (how name is to appear in the lease document): UB Investors

Applicant's Representative: ROD LEUNG

Relationship to Applicant: Manager

Address: 21216 72nd Ave S

City: Kent

State: WA

Zip Code: 98032

Telephone: 253-872-2938

Fax:

E-Mail: rodcl@comcast.net

FOR OFFICIAL USE ONLY

Support staff: Application Fee Received ☑ JARPA Received ☐ Date: 7/26/10

Land Manager: ☐ New Application; ☐ Renewal Application

Land Manager Type: (20, 21, 22, 23, 31, 51)

Land Records: New Application Number: Trust; County; AQR Plate No.
II. APPLICANT INFORMATION cont'

Department of Revenue Tax *Registration Number (Unified Business Identifier) is Required:

Which of the following applies to Applicant (Check One and Attach written authority to sign - bylaws, power of attorney, etc):

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<thead>
<tr>
<th>Corporation</th>
<th>Limited Partnership</th>
<th>General Partnership</th>
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<tbody>
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<td>☒ WA</td>
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<tr>
<td>State of Registration:</td>
<td>State of Registration:</td>
<td>State of Registration:</td>
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<tr>
<td>Sole Proprietorship</td>
<td>Marital Community Spouse:</td>
<td>Government Agency</td>
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<td>Other ☐ (Please Explain:)</td>
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Has the site use been authorized before or is it currently under lease? Yes ☒ Lease Number: 20-11248
No ☐ Don’t Know ☐

III. LOCATION

The Body of Water on which the state property is located:

Lake Union

County in which the state property is located: KING

Section: Block 93

Range: E ☐ or W ☐

Note: A legal property survey including the legal description and other information about the property is required to obtain a use authorization. WA DNR survey requirements are attached to this form. The survey plat will be attached to the lease/easement as Exhibit A. DO NOT HAVE THIS SURVEY CONDUCTED UNTIL YOU HAVE BEEN NOTIFIED IN WRITING THAT THE APPLICATION HAS BEEN ACCEPTED FOR PROCESSING.

Physical description of Project Area (For example, Marsh, Tideflat adjacent to the Chehalis River, etc.):

Lake Union Shorelands

Name of Owner(s) of Uplands, Shorelands, and/or Tidelands shoreward and adjacent to the Property:

Dept of Natural Resources, State of WA

Address:  
City: Olympia  State: WA  Zip Code: 98504

Phone Number: 360-902-1590  Fax Number: 360-902-1791  E-mail: 

Note: Except for property located within established Harbor Areas, proof of ownership, or authorization to use the adjacent tideland, shoreland, or upland property may be required. If the applicant is the owner of the adjacent land, attach a copy of the deed.

County Parcel No(s). for adjacent properties, upland, and/or adjacent tideland properties:
## IV. USE OF PROPERTY

Describe, in detail, the proposed use of the Property:

*marine dealership & storage, manufacturer*

Is or will the Property be subleased to another party? **Yes ☒ No □**
If yes, submit a copy of the sublease agreement.

What are the current and past uses of the site? **Same as above.**

Do you have any knowledge of contamination of the site by toxic or hazardous substances, or of past uses or practices that might have lead to contamination by such substances? **Yes □ No ☒**
If so, please explain:

Do you know if any fill material has been placed on the property in question? **Yes □ No ☒**
If yes, please explain:

## V. IMPROVEMENTS

Physical improvements are structures placed on the land that cannot be removed without damage to the land. Examples of such structures include: pilings, dolphins, piers, wharves, piling-supported buildings, structures built on fill or concrete foundations, buried pipelines and cables, and support structures for bridges.

What physical improvements currently exist on the site? (Photos may be required.)

*20,000 sf. building & boat storage*

If there are physical improvements currently on the site, who owns them?

*UB investors*

If there are physical improvements currently on the site, describe their condition:

*Good*

Which, if any, of the existing physical improvements will be removed, remodeled, or reconstructed? **NO**

Describe any physical improvements that the applicant is proposing to construct on the site: **NO**

Has any fill material been placed on the site? **Yes □ No ☒**
If Yes, please describe:
VI. LOCAL, STATE, AND FEDERAL REGULATORY PERMITS

Copies of all Government Regulatory Permits, or Permit Waivers Are Required Before Issuance of a DNR Use Authorization. Your project may require all or some of the following.

Please include the following permit applications, permits, or waivers with the application:

**JARPA (Joint Aquatic Resource Permit Application)** - This one form is used to apply for all of the following individual permits:

1. **Section 10 Permit**  (Required by the US Army Corps of Engineers for any work in or affecting navigable waters, e.g., floats, docks, piers, dredging, pilings, bridges, overhead power lines.)
2. **Shoreline Substantial Development, Conditional Use, Variance Permit or Exemption**  (Issued by Local Government, and is required for work or activity in the 100 year flood plain, or within 200 feet of the Ordinary High Water mark of certain waters; and which included any one of the following: dumping, drilling, dredging, filling, placement or alteration of structures or any activity which substantially interferes with normal public use of the waters.)
3. **Hydraulic Project Approval**  (Required by the Department of Fish and Wildlife if the project includes work that will use, divert, obstruct, or change the natural flow or bed of any fresh or salt water of the state.)
4. **Section 404 Permit**  (Required by the US Army Corps of Engineers if your project will discharge or excavate any dredged or fill material waterward of the Ordinary High Water mark or the Mean Higher High Tide Line in tidal areas.)
5. **Section 401 Water Quality Certification**  (Required by the Department of Ecology if a Section 404 permit is required.)

**NPDES (National Pollutant Discharge Elimination System Permit)** - Required by the Department of Ecology under delegated authority from the Federal Environmental Protection Agency for projects that include the discharge of fluid on or into surface water.

**SEPA (State Environmental Policy Act) Checklist and Environmental Assessments** - When you submit a permit application to any agency, if the project is not exempt, the lead agency will ask you to fill out an environmental checklist. Based on checklist answers and the reviewers knowledge of the project site, agency personnel will determine the types of impacts the project may have on the environment. The agency assessments may be the following forms: Determination of Nonsignificance, Determination of Significance, scoping documents, draft or final Environmental Impact Statements (EIS) or others prepared for the purpose of compliance.

Describe any habitat mitigation required by any of the permitting agencies identified above and identify where such mitigation is proposed to occur:

All answers and statements are true and correct to the best of my knowledge.

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<thead>
<tr>
<th>Applicant Name (please print):</th>
<th>Title:</th>
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<tbody>
<tr>
<td>Rod Leung</td>
<td>Manager</td>
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<th>Applicant or Authorized Signature:</th>
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<tr>
<td>[Signature]</td>
<td>7/17/2010</td>
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EXHIBIT A
Premises and Moorage Map and Description

LAKE UNION

WATER WAY

RAMP

1844 WESTLAKE AVE. N OFFICE BLDG
EXHIBIT B

LEGAL DESCRIPTION OF LAND:

Lots 21, 22, 23 and 24 in Block 93 of Lake Union Shores Lands, in King County, Washington;
EXCEPT that portion thereof taken by The City Seattle under Ordinance No. 17629 for Westlake Avenue
North;
TOGETHER with an easement for overhang of upper wall and maintenance of same, over and across the
South 2 feet of Lot 20, in said Block 93;
AND TOGETHER WITH that portion of the bed of Lake Union, East of the East line of said Lots 21, 22,
23 AND 24 in Block 93, between the Easterly extension of the North line of Lot 21, bearing North 89
27'18" East, the Easterly extension of the South line of Lot 24 bearing South 89 57'44" East, and the
Seattle Construction Limit Line located 150 feet to the East and running parallel to the East line of said
lots;
Situate in the City of Seattle, County of King, State of Washington.