



Mark Parkinson, Governor
Roderick L. Bremby, Secretary

DEPARTMENT OF HEALTH
AND ENVIRONMENT

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May 26, 2010

Kamyar Manesh, P.E. Trust Administrator
SELS Administrative Services, LLC
Trustee of the Farmland Kansas Remediation Trust
11206 Thompson Avenue
Lenexa, KS 66219

Laurence M. Frazen, Counsel
SELS Administrative Services, LLC
Trustee of the Farmland Kansas Remediation Trust
1200 Main Street, Ste. 3500
Kansas City, MO 64105

Re: City of Lawrence Asset and Purchase Agreement
related to the Lawrence Trust Site

Dear Msrs. Manesh and Frazen:

Pursuant to Section 6.3(b) of the FI Kansas Remediation Trust (FIKRT), the Kansas Department of Health and Environment (KDHE, and described in the FIKRT as the Department) approves, dependent upon the contingencies set out below, the transaction described in the revised Asset and Purchase Agreement submitted to SELS on May __, 2010 by the City of Lawrence.

The Department's approval as set out in this letter, otherwise described in the FIKRT as a "Permission Letter", is contingent upon the agreement of the City of Lawrence with the following: (a) to execute the attached Consent Order immediately upon the City taking title to the Lawrence Kansas Trust Site, as set out in the revised Asset and Purchase Agreement; (b) a provision, satisfactory to KDHE, in the escrow agreement into which the FIKRT funds shall be placed, that such funds shall be available to KDHE in the event of Work Takeover as provided in the attached Consent Agreement; and (c) in the event there is a conflict between the revised Asset and Purchase Agreement and the executed Consent Order, the provisions of the Consent Order shall prevail.

Sincerely,

John W. Mitchell
Director of Environment

C: David Corliss
William Ford

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