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**REPORT OF
PHASE I ENVIRONMENTAL SITE ASSESSMENT**

**UPTOWN LAND
WEST TRADE STREET
CHARLOTTE, NORTH CAROLINA**

PREPARED FOR:

**BANK OF AMERICA
CARE OF LINCOLN HARRIS
100 NORTH TRYON STREET, SUITE 2620
CHARLOTTE, NORTH CAROLINA 28202**

PREPARED BY:

**MACTEC ENGINEERING AND CONSULTING, INC.
2801 YORKMONT ROAD, SUITE 100
CHARLOTTE, NORTH CAROLINA**

May 7, 2008

MACTEC PROJECT: 6228-08-4637





engineering and constructing a better tomorrow

May 7, 2008

Chris Giovanelli
Lincoln Harris
100 North Tryon Street, Suite 2620
Charlotte, North Carolina 28202

**Subject: Report of Phase I Environmental Site Assessment
Uptown Land
West Trade Street
Charlotte, North Carolina
MACTEC Project: 6228-08-4637**

Dear Mr. Giovanelli:

MACTEC Engineering and Consulting, Inc. (MACTEC) is pleased to submit this Report of Phase I Environmental Site Assessment for the above referenced site. The purpose of our services was to identify recognized environmental conditions associated with the site.

This report is intended for the use of Bank of America and Lincoln Harris, subject to contractual terms between Bank of America, Lincoln Harris and MACTEC. Reliance on this document by any other party is prohibited without the expressed, written consent of MACTEC. This report, including its findings, opinions, and conclusions, is intended for the exclusive use and benefit of, and may be relied upon only by Bank of America and Lincoln Harris. Use of this report for purposes beyond those reasonably intended by Bank of America, Lincoln Harris and MACTEC will be at the sole risk of the user.

This report presents project information, which includes survey procedures and limitations, along with our findings, conclusions and recommendations. We appreciate your selection of MACTEC for this project and look forward to assisting you further on this and other projects. If you have questions concerning this report, please contact us.

Sincerely,

MACTEC ENGINEERING AND CONSULTING, INC.

Handwritten signature of Kerry A. Reed in black ink.

Kerry A. Reed, P.E.
Project Engineer

Handwritten signature of Robert C. Foster in black ink.

Robert C. Foster, P.G.
Principal

Enclosures

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EXECUTIVE SUMMARY

PROPERTY NAME: Uptown Land
LOCATION: West Trade Street
Charlotte, North Carolina

MACTEC Engineering and Consulting, Inc. (MACTEC) conducted a Phase I Environmental Site Assessment (Phase I ESA) at the subject properties. The Phase I ESA was conducted in material compliance with the scope and limitations of ASTM E 1527-05. Any exceptions to, or deletions from, this practice are described in Section 9 of this report.

The site is comprised of approximately 6.2 acres of undeveloped land between West Fifth and West Trade Streets and Irwin Creek and Gateway Village. The site is primarily utilized as parking lots. No evidence of underground storage tanks was noted on the site.

MACTEC conducted a search of regulatory information provided by Environmental Data Resources (EDR) to identify facilities that are either on the site or located within the respective search distances as defined by ASTM International in Standard Practice E 1527-05, "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process". EDR's review of the environmental lists revealed evidence of recognized environmental conditions at the site.

The target property was identified on the regulatory databases reviewed for this report. The former Elmer's Auto Service (1100 West Trade Street) was identified on the Leaking UST (LUST) and UST lists. The incident was closed out under the direction of MACTEC (as LAW) in 2000. In addition, Environmental Investigations performed assessment at the former filling station property (1012 West Trade Street) and identified petroleum hydrocarbons and chlorinated solvents in the ground water at the site. MACTEC (as LAW) provided oversight of the removal of a UST from Parcel 078-124-01 in 2002. Analysis of the soil samples identified detectable concentrations of petroleum hydrocarbons.

EDR's review of the environmental lists revealed recognized environmental conditions on surrounding sites. Based on distance and topography with respect to groundwater flow, the facilities southwest, west and northwest of the site are not expected to adversely impact the subject site. Sites located northeast, southeast and east could impact this site.

The 700, 800 and 900 Blocks of Gateway Village (West Trade Street) were identified on the following lists: UST, LUST, IMD, and SHWS. A UST remains in service at 800 West Trade Street. The SHWS listing is related to chlorinated solvents identified in soil and groundwater during development of the existing facilities. Based on documented assessment activities by MACTEC (as LAW) and others, the chlorinated solvents in the ground water have migrated to the subject parcels.

Based on our observations, interviews with knowledgeable parties and the information reviewed, recognized environmental conditions were identified on the site and nearby properties.

Due to the extensive developmental history of the area and multiple documented release incidents in the area, ground-water contamination is documented at the subject parcels. The sources of the off-site contamination were determined in assessment activities performed during development of the Gateway Village. Typically, in urban areas where ground water is not in use for drinking, the

NCDENR will acknowledge the presence of contamination but will not request that a non-responsible party, that happens to own the property, pursue additional assessment or active remediation unless there is a reason to believe that the subject property is a contributing factor to the contamination.

1.0 INTRODUCTION

1.1 Purpose

The purpose of this Phase I Environmental Site Assessment (Phase I ESA) was to identify recognized environmental conditions associated with the property and update the previous Phase I Environmental Assessment report (dated April 2, 1998) for the site by MACTEC (as Law Engineering and Environmental Services, Inc.) ASTM Standard E 1527-05 defines recognized environmental conditions as “the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property”. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is *not* intended to include *de minimis* conditions that generally do not present a material risk or harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be *de minimis* are not recognized environmental conditions.”

1.2 Detailed Scope of Services

MACTEC prepared this Phase I ESA based on reasonably ascertainable information and site observations. We conducted the following tasks at the site, which are in material compliance with those tasks established in E 1527-05:

- We reviewed the history of the site using reasonably ascertainable standard historical sources and conducted interviews with knowledgeable parties.
 - We reviewed lists published by selected state and federal environmental regulatory agencies for records or comments pertaining to past or present environmental concerns at the site and/or within specified "search distances" from the site. These distances adhere to the standard search distances recommended in E 1527-05. The lists we reviewed are listed below.
1. National Priority List (NPL). This list is for highly contaminated sites and includes Proposed NPL and Delisted NPL sites. The search radius is one mile.
 2. Comprehensive Environmental Response, Compensation, and Liability List (CERCLIS). This database contains sites which are proposed to be placed on the NPL, and sites that are in the screening and assessment phase for possible inclusion on the NPL. The search radius is one-half mile.

3. CERCLIS-NFRAP List–This list identifies CERCLIS sites where no further remedial action is planned. The search radius is one half-mile.
4. Resource Conservation and Recovery Act (RCRA INFO) listings, including TSDs (treatment, storage, and disposal facilities), SQGs (small quantity generators), conditionally exempt SQGs, and LQGs, (large quantity generators). The search radius for TSD facilities is one-half mile. The search area for the LQG and SQG facilities is limited to the target property and its adjacent properties.
5. The CORRACTS List identifies RCRA sites where corrective action has been performed. The search radius is one mile.
6. Emergency Response Notification System (ERNS) List, compiled by the U.S. Coast Guard’s National Response Center. The search radius is limited to the target property only.
7. List of registered USTs compiled by the North Carolina Department of Environment and Natural Resources (NCDENR). The search radius is limited to the target property and its adjacent properties.
8. Incident Management Database (IMD) List, which includes leaking UST systems, compiled by the NCDENR. The search radius is one half-mile.
9. The Leaking Underground Storage Tank (LUST) List identifies leaking UST systems, compiled by the NCDENR. The search radius is one half-mile.
10. List of solid-waste facilities permitted by the NCDENR. The search radius is one half-mile.
11. Old Landfill Inventory (OLI) compiled by NCDENR. The search radius is one half-mile.
12. The list of Responsible Party Voluntary Action Sites (VCP). The search radius is one half-mile.
13. The Brownfields Inventory is maintained by EPA and NCDENR. The search radius is one half-mile.
14. List of State Hazardous Waste Sites (SHWS). This list is maintained by NCDENR and is the State equivalent of the CERCLIS List. The search radius is one-half mile.
15. List of State Hazardous Substance Disposal Sites (HSDS). This list identifies uncontrolled and unregulated hazardous waste sites. The search radius is one mile.
16. The list of Drycleaning sites is compiled by the NCDENR with a search radius of one-half mile.
17. The Engineering Controls Sites List identifies sites with in-place engineering controls which including various forms of caps, building foundations, liners and treatment methods that eliminate or inhibit potential pathways that may allow regulated substances to migrate from a source area or affect human health. The search radius is limited to the target property.
18. The Institutional Controls Sites List identifies sites with in-place institutional controls whereby administrative measures such as groundwater use restrictions, construction

restrictions, property use restrictions, and post-remediation monitoring requirements are intended to prevent exposure to contaminants that remain on the site. Land use deed restrictions are generally considered to be an institutional control. The search radius is one half-mile.

19. Indian Reservations List is a list of Indian administered lands of the US that contain an area equal to or greater than 640 acres. The search radius is one mile.
20. Indian Leaking Underground Storage Tank (Indian LUST) a list of Indian administered lands of the United States that have reported releases from underground storage tanks. The search radius is one half-mile.
21. Indian Underground Storage Tank (Indian UST) a list of Indian administered lands of the United States that maintain underground storage tanks. The search radius is one half-mile.

MACTEC also performed the following tasks as part of this assessment;

- Conducted a “walk-over” site reconnaissance to look for surficial indications of activities involving hazardous substances and petroleum products.
- Conducted a vehicular reconnaissance in the vicinity of the site to verify the location of the facilities identified during our list review, and to visibly determine if land use on adjacent properties creates the potential for an adverse environmental impact on the project site.
- Prepared this written report that summarizes our observations, findings, and conclusions.

Our proposed scope of services for this Phase I assessment did not include sampling or evaluating buildings for radon or asbestos-containing materials, evaluating ambient air quality, identifying wetlands, or testing of the soil, air, surface water, drinking water, or groundwater for chemical contaminants.

1.3 Significant Assumptions

MACTEC made no significant assumptions during the site “walk-over.”

1.4 Limitations and Exceptions

Our findings and opinions are relative to the date of our site work and should not be relied on to represent conditions on other dates. These opinions are based on information obtained during the study and our experience. If additional information becomes available which might change our conclusions, we request the opportunity to review the information, reassess the potential concerns, and modify our opinions, if warranted.

Although this assessment has attempted to identify the potential for environmental impacts to the subject site, potential sources of contamination may have escaped detection due to (1) the limited

scope of this assessment, (2) the inaccuracy of public records, (3) the presence of undetected or unreported environmental incidents, (4) inaccessible areas, and/or (5) deliberate concealment of detrimental information.

1.5 Special Terms and Conditions

Our work was conducted in accordance with the terms and conditions presented in MACTEC's Proposal, Prop08chlt179 dated April 11, 2008. Services performed specifically for this site were authorized by Mr. Chris Giovanelli on April 16, 2008.

1.6 User Reliance

This report, including its findings, opinions, and conclusions, is intended for the exclusive use and benefit of, and may be relied upon only by Bank of America and Lincoln Harris. Bank of America and Lincoln Harris has agreed that any prospective lender, buyer, seller, or other third party who wishes to rely on this report must first sign MACTEC's Secondary Client Agreement.

2.0 SITE DESCRIPTION

2.1 Location and Legal Description

The subject site consists of 14 parcels of land (6.2 acres) between West Fifth and West Trade Streets adjacent to the existing Gateway Village development in uptown Charlotte, North Carolina. The site is located in the Center City’s Third Ward. Figure 1 is provided as a general site location map. An aerial photograph (Figure 2) is included in Appendix A.

Chains-of-title information for the properties comprising the site was not provided for our review. MACTEC was not provided with a legal description of the site, but was able to review tax information through the Mecklenburg County POLARIS system, an on-line service.

2.2 Site and Vicinity General Characteristics

The following table lists the parcel numbers included in this update assessment:

PARCEL I.D. NUMBERS AND ADDRESSES		
Tax Parcel I.D.	ADDRESS	CURRENT LAND USE
078-124-01	110 North Irwin Avenue	Paved parking lot
078-153-08	1012 West Trade Street	Unpaved parking lot
078-153-12	113 and 117 North Irwin Avenue	Unpaved parking lot
078-153-14	125 North Irwin Avenue	Minority Contractors Association
078-153-15	1009 West Fifth Street	Unpaved parking lot
078-153-01	1027 West Fifth Street	Unpaved parking lot
078-153-03	118 North Sycamore Street	Unpaved parking lot
078-153-04	110 North Sycamore Street	Unpaved parking lot
078-152-07	127 North Sycamore Street	Undeveloped, vacant
078-152-06	119 North Sycamore Street	Undeveloped, vacant
078-152-05	115 North Sycamore Street	Undeveloped, vacant
078-152-04	111 North Sycamore Street	Undeveloped, vacant
078-152-03	107 North Sycamore Street	Undeveloped, vacant
078-152-14	1100 West Trade Street	Undeveloped, vacant

The site is bound on the southeast by an office building, the northwest by West Fifth Street, to the southwest by West Trade Street and to the northwest by Irwin Creek. Photographs taken by MACTEC personnel are included as Appendix C.

2.3 Current Use of the Property

At the time of our visit, the majority of the site was developed as unpaved parking lots. The parcel designated 110 North Irwin Avenue is a paved parking lot. Remaining areas are landscaped with grass and trees.

2.4 Description of Structures, Roads and Other Improvements

Only one structure was observed on the site. The Minority Contractor's Association (125 North Irwin Avenue) occupies a 5,500-square foot office building that was constructed in 1965. The site area is provided municipal sanitary sewer and water services from Charlotte-Mecklenburg Utilities Department.

2.5 Current Uses of Adjoining Properties

The site is bound by commercial properties on the northeast and southeast sides. Across West Trade Street, which bounds the site to the southwest, a multi-family residential development was noted. Vacant, undeveloped land lies to the northwest of the site in the vicinity of Irwin Creek.

3.0 USER/OWNER-PROVIDED INFORMATION

3.1 Title Records

MACTEC was not provided with title records of the property. According to current tax records, most of the properties are owned by Bank of America. Cousins Properties and Southport Investments, LLC also are listed as owners on some of the parcels. Property deed information is included as Appendix F.

3.2 Environmental Liens

MACTEC's site contact was Ms. Bettie Coltrane of Cousins Properties. Ms. Coltrane did not have knowledge of environmental liens held against the property, nor did she indicate the presence of outstanding environmental regulatory issues related to the property. Ms. Coltrane's comments were completed in the User Questionnaire provided in Appendix B.

3.3 Specialized Knowledge

MACTEC was provided with specialized knowledge regarding the site by the owner of the property. In addition, numerous reports prepared by Environmental Investigations, P.A. and MACTEC (as LAW) were available for our review. Environmental Investigations performed assessment at the former filling station property (1012 West Trade Street) and identified petroleum hydrocarbons and chlorinated solvents in the ground water at the site. MACTEC (as LAW) provided oversight of the removal of a UST from Parcel 078-124-01 in 2002. Analysis of the soil samples identified detectable concentrations of petroleum hydrocarbons.

3.4 Commonly Known Information

MACTEC was not provided with commonly known information regarding the site.

3.5 Valuation Reduction for Environmental Issues

Ms. Coltrane did not comment on the purchase price relative to the fair market value of the property.

3.6 Owner/Property Manager/Occupant Information

Ms. Coltrane did not have knowledge of past environmental concerns at the site.

3.7 Reason for Performing the Phase I

This Phase I ESA was performed to provide Bank of America and Lincoln Harris information regarding potential environmental liabilities at the site.

4.0 RECORDS REVIEW

4.1 Standard Environmental Record Sources

Environmental Data Resources, Inc. (EDR), under subcontract to MACTEC, provided information from state and federal regulatory lists referenced in Section 1.2. The reader should note that these lists are limited and only include sites known to the regulatory agencies at the time of publication. These lists identify sites that are contaminated or exhibit potential for contamination due to the generation or handling of toxic or hazardous materials.

The target property was identified on the regulatory databases reviewed for this report. The former Elmer's Auto Service (1100 West Trade Street) was identified on the Leaking UST (LUST) and UST lists. The incident was closed out under the direction of MACTEC (as LAW) in 2000.

Surrounding properties were identified on the following lists: Comprehensive Environmental Response, Compensation, and Liability list (CERCLIS NFRAP), State Hazardous Waste Site lists, State Hazardous Substance Disposal Sites (HSDS), Incident Management Database (IMD), Leaking Underground Storage Tanks (LUST), LUST TRUST, UST, and manufactured gas plants. Regulatory listings pertaining to off-site properties are discussed below.

Based on distance and topography with respect to groundwater flow, the facilities southwest, west and northwest of the site are not expected to adversely impact the subject site. Sites located northeast, southeast and east could impact this site. Surrounding sites are discussed below:

- The 700, 800 and 900 Blocks of Gateway Village (West Trade Street) were identified on the following lists: UST, LUST, IMD, and SHWS. A UST remains in service at 800 West Trade Street. The SHWS listing is related to chlorinated solvents identified in soil and groundwater during development of the existing facilities. Based on documented assessment activities by MACTEC (as LAW) and others, the chlorinated solvents in the ground water have migrated to the subject parcels.
- The Boulevard Co. 1 incident (215 North Irwin Avenue) was identified on the LUST list. This nearby leaking tank incident was closed out by the State in 2007 and is unlikely to affect the subject parcels.
- RSA (B& K Investments) at 900 West Trade Street was identified on the LUST list related to a 1992 leaking tank incident. The incident (No. 8793) reportedly remains open at the NCDENR, even though the tanks were removed. Based on the regulatory

status and measured ground-water flow direction, incident No. 8793 may potentially affect the ground water at the subject parcels.

- The Gateway Center at 901 West Trade Street was identified on the UST list relative to a 2,500-gallon emergency generator tank. No releases have been reported from this tank.

The remaining incidents in the surrounding area on the EDR report are either closed out with the state or situated hydraulically downgradient or in a different local watershed. None of the other surrounding properties represent a recognized environmental condition relative to the property.

4.2 Summary of Federal Database Findings

The site was not identified on the Federal regulatory lists reviewed for this assessment. Surrounding properties, within the established search radii, were not identified on the NPL or TSD list (including those proposed or de-listed). Three surrounding sites were identified on the CERCLIS-NFRAP list within the respective search radii. In MACTEC's opinion, these are not likely to affect the subject parcels.

4.3 Summary of State Database Findings

The site was identified on a state regulatory list reviewed for this assessment. The former Elmer's Auto Service (1100 West Trade Street) was identified on the LUST list. This incident was closed in 2000. Surrounding properties, within the established search radii, were identified on the SHWS, HSDS, IMD, LUST, LUST TRUST, and UST lists. The site and surrounding properties were not identified on the landfill list, drycleaners list, or list of institutional controls.

4.4 Additional Environmental Record Sources

MACTEC interviewed Ms. Rachel Pillar of the Fire Prevention Bureau of the Charlotte Fire Department regarding fires or spills reported at the property. Ms. Pillar preliminarily informed us that no fires or spills have been documented at the property. If the final written report indicates otherwise, MACTEC will prepare an addendum to this report.

4.5 Physical Setting Sources

MACTEC reviewed the following sources to obtain information regarding the physical setting of the site:

- Geologic Map of North Carolina, published in 1985 by the North Carolina Geological Survey;
- National Flood Insurance Program Floodway Flood Boundary and Floodway Map-City of Charlotte, North Carolina, Mecklenburg County-Map 370159-00131B, updated February 26, 1982.
- Soil Survey of Mecklenburg County, dated 1980, published by the USDA Natural Resources Conservation Service;
- USGS 7.5-Minute Topographic Map, Charlotte East, North Carolina Quadrangle, dated 1967, photorevised 1988, published by the United States Geological Survey;
- USGS 7.5-Minute National Wetlands Inventory (NWI) Map, Charlotte East, North Carolina Quadrangle, dated 1994, published by the United States Fish and Wildlife Service.

The site is located within the Charlotte Belt of the Piedmont Physiographic Province consisting of low rounded hills and long rolling northeast to southwest trending ridges with incised creek channels. Based on a review of the geologic map, the site is underlain by granitic rock.

The Soil Survey of Mecklenburg County indicates that soils at the site are classified as Urban Land. These soils natural characteristics have been altered or destroyed by construction activities. According to the National Wetlands Inventory Map, no wetlands were identified on the property.

Based on the USGS topographic map, the site elevation ranges from about 690 (eastern corner) to approximately 650 feet above mean sea level near Irwin Creek. Surface drainage patterns within the Piedmont typically indicate the direction contaminants would be transported by surface water or groundwater. Based on our interpretation of the topographic map and on-site observations, surface water on the site would be expected to flow to the west toward Irwin Creek.

The direction and movement of groundwater through soil is dependent on soil type and the presence of relict structures and textures of the underlying rock. Fractures, faults, folds and foliation planes affect the migration of groundwater in rock. Since no significant geologic features were identified in or on the site, it is reasonable to assume that the direction of on-surface groundwater flow under static conditions (no pumping interference) approximates the surface topography of the site. Groundwater at the site is expected to flow to the west toward Irwin Creek.

4.6 Historical Use Information on the Property

MACTEC (as LAW) reviewed available historical information and conducted interviews to evaluate the site history. We reviewed the following sources:

- United States Department of Agriculture Soil Conservation Service aerial photograph 7-19, dated 1938; photograph 7-101, dated 1951; photograph 7-42, dated 1956; photograph G-10, dated 1968; and photograph 11-61, dated 1983.
- Charlotte City Directories dated 1910, 1920, 1930, 1940, 1950, 1960, 1970, 1980.
- City of Charlotte Engineering Department Topographic Map No. K-26, dated March 1992 and Map No. K-27, dated April 1990.
- Mecklenburg County Engineering Department, aerial photograph 562B, dated March 1966; photograph 7-30, dated 1975; and photographs K-26 and K-27, dated 1990.
- ARCATA Real Estate Data, Inc., Real Estate Atlas of Mecklenburg County, NC, Aerial Map Volume, Map No. 59, dated 1970.
- REDI Real Estate Data, Inc., Aerial/Map Volume of Mecklenburg County, NC, Map No. 59B, dated 1980.
- TRW-REDI Property Data Realty Atlas of Mecklenburg County, Map Nos. 49B and 49C, dated 1993.
- Aerial photograph, dated 2007, obtained from Mecklenburg County GIS, on-line services;
- Sanborn fire insurance maps dated 1896, 1905, 1911, 1929, 1950, 1953, 1963, and 1969;

MACTEC (as LAW) reviewed aerial photographs and topographic maps dated 1938, 1951, 1956, 1966, 1968, 1970, 1975, 1980, 1990 and 1993. A discussion of land utilization for the subject property and adjacent sites in each photograph/map is discussed below.

- a. **1938 Aerial Photograph** - The 1938 aerial photograph showed the subject site containing residential dwellings on heavily tree-laden lots. Residential development was located along West Trade Street to the south and west of the site. A park was located along Irwin Creek to the west of the site.

The aerial photograph showed mixed residential and commercial development to the southeast and residential development to the north and northeast across West 5th Street.

- b. **1951 and 1956 Aerial Photographs** - Larger buildings, possibly commercial businesses, were located on the block between North Clarkson Street and Irwin Avenue in 1951 and 1956 aerial photographs. The remaining area comprising the Subject site and surrounding properties were substantially the same in 1951 and 1956 as in 1938 (primarily residential).
- c. **1966 and 1968 Aerial Photographs** - In 1966, the 900 block between West Trade Street and West 5th Street contained mostly commercial businesses. An apparent gasoline station was located at the northwest corner of the intersection of North Clarkson Street and West Trade Street. A structure located on the adjoining lot to the northwest of the gasoline station was a hardware store, according to city directory records. Two additional larger commercial structures were located to the northwest in the 900 block of West Trade Street. Lots immediately west of the intersection of North Clarkson Street and West 5th Street were undeveloped. The existing Alexander Funeral Home was located southeast of the intersection of West 5th street and North Irwin Avenue.

The entire 1000 block was residential. Three unidentified elongated buildings were located at the southwest corner of the intersection of West 5th Street and North Sycamore Street. A facility identified by a Sanborn Fire Insurance Map, as a dry cleaners was located adjacent to the west of the elongated buildings. A gasoline station was identified northwest of the intersection of West Trade Street and North Sycamore Street.

Mixed residential and commercial developments were located to the south and southeast of the site along West Trade Street. An apparent industrial facility was located across Irwin Creek to the northwest of the site.

- d. **1970 and 1975 Aerial Photographs** - At some time between 1966 and 1975, a large portion of the residences in the 1000 block were removed and the majority of the block was undeveloped. A building (existing Big Ben's Grocery Store) and adjoining residential structure were located to the southwest of the intersection of West 5th Street and North Irwin Avenue. The present building formerly occupied by Segrest Cleaners was located in the 900 block of West 5th Street. The gasoline station formerly located at the northwest corner of the intersection of West Trade Street and North Clarkson Street was absent in 1975. Similar development to that observed in the 1960s was noted on the remainder of the site and immediately surrounding area, except that Interstate Highway 77 had been constructed to the west of the site.
- e. **1990 Aerial Photograph** - In 1990, a new development was located on the property at the northwest corner of the intersection of West Trade Street and North Clarkson Street. The facility appeared to be a gasoline station. The remainder of the development on the 900 block was comparable to existing conditions observed during our recent site visits.

The majority of the 1000 block between West Trade Street and West 5th Street was undeveloped in 1990. The existing grocery store building and

adjacent residential structure were located southwest of the intersection of West 5th Street and North Irwin Avenue.

Review of Sanborn fire insurance maps revealed gasoline stations (identified in 1950, 1953 and 1963) occupied the site parcels addressed 1012 and 1100 West Trade Street. The remainder of the site was used for residences. Sanborn Fire Insurance Company maps were reviewed to evaluate historical site and surrounding property uses. A summary of our findings are as follows:

1929

In 1929, the 900 block between West Trade Street and West 5th Street was occupied by a mixture of residential and commercial properties. The 1000 and 1100 blocks were residential.

1950 and 1953

An apparent commercial structure occupied the property located at the northwest quadrant of the intersection of West Trade Street and North Clarkson Street. A wholesale chemical facility was located in the western portion of the 900 block. The balance of the 900 block contained residential development.

A filling station was listed on the property located northwest of the intersection of West Trade Street and North Irwin Avenue. The remainder of the 1000 block was residential.

A filling station was located at the northwest quadrant of the intersection of West Trade Street and North Sycamore Street. The balance of the 1100 block was residential.

In 1953, the former wholesale chemical facility located in the 900 block of West Trade Street was identified as a dry cleaner. The rest of the three-block area development was similar to that shown in 1950.

1963

In 1963, a large portion of the 900 block along West Trade Street was composed of mixed commercial and residential use. The dry cleaners shown in the 900 block on the 1953 map was identified as an upholstery shop in 1963. An undertaker (existing Alexander Funeral Home) was shown on the east side of North Irwin Avenue. The 1000 and 1100 blocks contained comparable development to that shown in the 1953 map.

MACTEC (as LAW) reviewed city directories on an approximately 10-year basis from the years 1900 to 1980 for West Trade Street, West 5th Street, Cedar Street and Clarkson Street to evaluate

property listings of potential environmental concern. The following listings of potential environmental concern were identified in the city directories for each year reviewed. Addresses on or near the subject site are shaded.

1900

The only listings for a portion of the site were the low-900 addresses along West Trade Street and West 5th Street, which were residential.

1910

In 1910, the portions of the site listed in the city directory were residential.

1920 and 1930

The portions of the site listed in the 1920 and 1930 city directory were residential.

1940

West Trade Street

1000 - OK Transfer Filling Station

1100 - Robert L. Puckett Filling Station

1950

Property listings of potential environmental concern listed in the 1950 city directory included the following:

West Trade Street

924 - King Chemical Company

1000 - Thompson's Friendly Service Filling Station

1100 - Lowry's Texaco Service Filling Station

1960

West Trade Street

910 - Diamond Crystal Salt Company

1000 - Vacant

1013 - Frick Refrigeration Company

1100 - Vacant

1970

West Trade Street

1100 - Puckett's Texaco Service

West 5th Street

915 - Segrest Cleaners and Launderers

As previously indicated, the majority of the site was historically residential. Progressive mixed residential and commercial business development occurred in the 900 block beginning about the late 1930s to the 1940s. Generally, the commercial development encroached across the site from east to west. The 1000 and 1100 blocks were predominantly residential until the houses were removed in the 1970s. Gasoline stations historically occupied the northwest corner of West Trade Street and North Irwin Avenue and North Sycamore Street. There has been no apparent further development of most of the 1000 and 1100 blocks since the residential structures were removed circa 1970s.

4.7 Historical Use Information on the Adjoining Properties

A review of historical information indicated that the surrounding properties have been developed as retail and office facilities for about the last 80 years. From the 1900's to the 1920's the surrounding properties were mostly residential.

5.0 SITE RECONNAISSANCE

5.1 Methodology and Limiting Conditions

Mr. Rob Foster of MACTEC conducted a site reconnaissance on April 18 and May 1, 2008. The site reconnaissance was conducted on foot and the area reconnaissance consisted of a driving tour on nearby public roads.

5.2 General Site Setting

The site is comprised of approximately 6.2 acres of undeveloped land between West Fifth and West Trade Streets and Irwin Creek and Gateway Village (Appendix A). Photographs taken by MACTEC personnel are included as Appendix C.

5.3 Site Observations

At the time of our visit, the site was undeveloped, except for trees and grass. The site consisted of paved and unpaved parking areas. Only one structure was observed on the site. The Minority Contractor's Association (125 North Irwin Avenue) occupies a 5,500-square foot office building that was constructed in 1965. No evidence of recognized environmental conditions was observed on the site. No evidence of underground storage tanks was noted on the site.

6.0 INTERVIEWS

6.1 Interview with Owner

MACTEC interviewed Ms. Bettie Coltrane of Cousins Properties. The unsigned User Questionnaire completed by Ms. Coltrane is included in Appendix B.

6.2 Interview with Site Manager

Cousins Properties is considered the site manager.

6.3 Interview with Occupants

MACTEC did not interview the occupants of the Minority Contractor's Association.

6.4 Interview with Local Government Officials

On May 5, 2008, MACTEC interviewed (via e-mail) Ms. Rachel Pillar of the Fire Prevention Bureau of the Charlotte Fire Department regarding fires or spills reported at the property. Ms. Pillar preliminarily informed MACTEC that there were no reported fires or spills reported at the property. If her written report differs from this information, MACTEC will prepare an addendum to this report.

7.0 FINDINGS AND OPINIONS

The site is comprised of approximately 6.2 acres of undeveloped land between West Fifth and West Trade Streets and Irwin Creek and Gateway Village (Appendix A). The site is primarily utilized as parking lots. No evidence of underground storage tanks was noted on the site.

MACTEC conducted a search of regulatory information provided by Environmental Data Resources (EDR) to identify facilities that are either on the site or located within the respective search distances as defined by ASTM International in Standard Practice E 1527-05, "*Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*". EDR's review of the environmental lists revealed evidence of recognized environmental conditions on the site.

The target property was identified on the regulatory databases reviewed for this report. The former Elmer's Auto Service (1100 West Trade Street) was identified on the Leaking UST (LUST) and UST lists. The incident was closed out under the direction of MACTEC (as LAW) in 2000. In addition, Environmental Investigations performed assessment at the former filling station property (1012 West Trade Street) and identified petroleum hydrocarbons and chlorinated solvents in the ground water at the site. MACTEC (as LAW) provided oversight of the removal of a UST from Parcel 078-124-01 in 2002. Analysis of the soil samples identified detectable concentrations of petroleum hydrocarbons.

EDR's review of the environmental lists revealed recognized environmental conditions on surrounding sites. Based on distance and topography with respect to groundwater flow, the facilities southwest, west and northwest of the site are not expected to adversely impact the subject site. Sites located northeast, southeast and east could impact this site.

The 700, 800 and 900 Blocks of Gateway Village (West Trade Street) were identified on the following lists: UST, LUST, IMD, and SHWS. A UST remains in service at 800 West Trade Street. The SHWS listing is related to chlorinated solvents identified in soil and groundwater during development of the existing facilities. Based on documented assessment activities by MACTEC (as LAW) and others, the chlorinated solvents in the ground water have migrated to the subject parcels.

8.0 CONCLUSIONS AND RECOMMENDATIONS

We have performed a *Phase I Environmental Site Assessment* in material conformance with the scope and limitations of ASTM Practice E 1527-05 for property along West Trade Street in Charlotte, North Carolina. Any exceptions to or deletions from this practice are described in Section 9.0 of this report. Based on our observations, interviews with knowledgeable parties and the information reviewed, recognized environmental conditions were identified on the site and nearby properties.

Due to the extensive developmental history of the area and multiple documented release incidents in the area, ground-water contamination is documented at the subject parcels. The sources of the off-site contamination were determined in assessment activities performed during development of the Gateway Village. Typically, in urban areas where ground water is not in use for drinking, the NCDENR will acknowledge the presence of contamination but will not request that a non-responsible party, that happens to own the property, pursue additional assessment or active remediation unless there is a reason to believe that the subject property is a contributing factor to the contamination.

9.0 DEVIATIONS, LIMITATIONS, AND DATA GAPS

This Phase I Environmental Site Assessment was completed in material compliance with the scope and limitations of ASTM E 1527-05, except for the exceptions or deletions set forth below, if any. As stated in Section 1.6 of ASTM E 1527-05, “not all aspects of this practice [ASTM E1527-05] may be applicable in all circumstances. This ASTM standard is not intended to represent or replace the standard of care by which the adequacy of a given professional service must be judged....” Also, as stated in Section 4.5.1 of ASTM E 1527-05, “No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions in connection with a property, and this practice recognizes reasonable limits of time and cost.”

This report, including its findings, opinions, and conclusions, is intended for the exclusive use and benefit of, and may be relied upon only by Bank of America and Lincoln Harris. Bank of America and Lincoln Harris has agreed that any prospective lender, buyer, seller, or other third party who wishes to rely on this report must first sign MACTEC’s Secondary Client Agreement. This report is valid only for six months after the completion date of the report and MACTEC takes no responsibility to update or revise this report. Notwithstanding the provisions of ASTM E 1527-05, including Section 4.7, Prior Assessment Usage, any entity that uses this report for any subsequent assessment does so at its own risk, unless otherwise agreed in a written agreement with MACTEC that is acceptable to MACTEC in its sole discretion.

In preparing this report, the environmental professional has relied on information provided by Bank of America and Lincoln Harris and others as provided for in ASTM E 1527-05. As stated in Section 7.5.2.1 of ASTM E 1527-05, “An environmental professional is not required to verify independently the information provided but may rely on information provided unless he or she has actual knowledge that certain information is incorrect or unless it is obvious that certain information is incorrect based on other information obtained in the Phase I Environmental Site Assessment or otherwise actually known to the environmental professional.”

By issuing this report, MACTEC does not represent or warrant that Bank of America and Lincoln Harris or any other entity will qualify for any legal defense to any liability under the

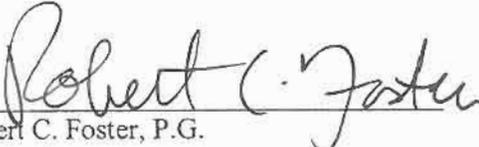
Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. §9601 et seq.) or under any other law or regulation pertaining to the property.

The following deviations from ASTM Standard E 1527-05 has occurred with respect to this assessment:

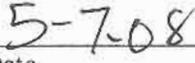
- Chain-of-title information was not provided to us or reviewed as part of this assessment. The site history was obtained through interviews with persons knowledgeable of the site and by review of aerial photographs, and topographic maps, city directories and Sanborn Fire Insurance maps dating from 1905 to 2004. No historical data gaps were encountered.
- MACTEC has not reviewed environmental lien information for the subject property as part of this assessment. Since the results of the environmental questionnaire indicate no knowledge of an environmental lien held on the property and no open status releases are present at the site, MACTEC considers this data gap to be unlikely environmental concern.
- The property manager representative declined to sign the user questionnaire.

10.0 ENVIRONMENTAL PROFESSIONAL STATEMENT

I declare that, to the best of my professional knowledge and belief, I meet the definition of *Environmental professional* as defined in § 312.10 of 40 CFR 312 and I have the specific qualifications based on education, training, and experience to assess a *property* of the nature, history, and setting of the subject *property*. I have developed and performed all the appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.



Robert C. Foster, P.G.
Principal



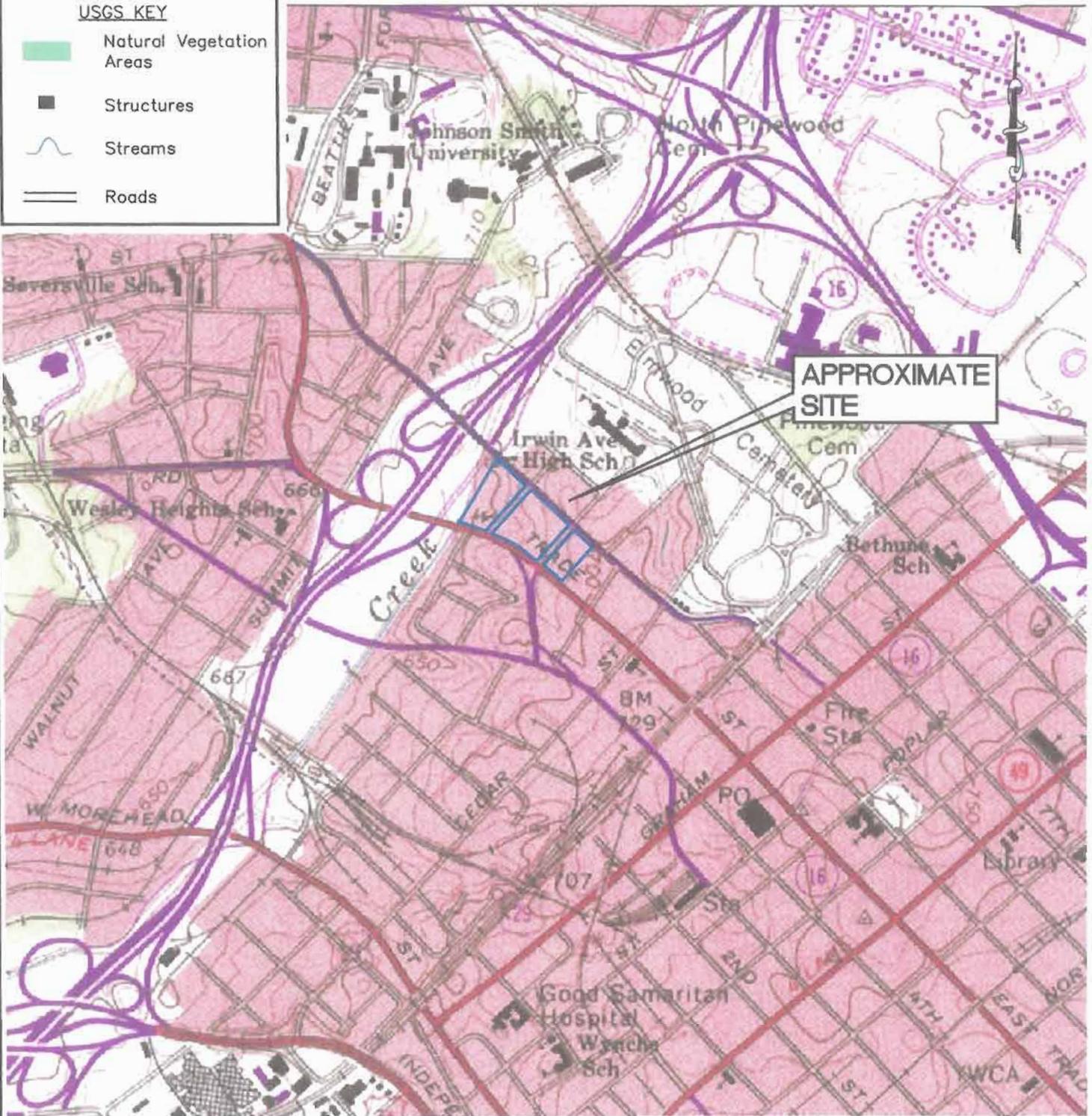
Date

APPENDIX A

FIGURES

USGS KEY

-  Natural Vegetation Areas
-  Structures
-  Streams
-  Roads



EXPLANATION

 APPROXIMATE LOCATION OF PROJECT SITE



QUADRANGLE LOCATION



APPROXIMATE SCALE IN FEET

REF.: U.S.G.S. 7.5 MINUTE TOPOGRAPHIC MAP OF CHARLOTTE EAST, NORTH CAROLINA QUADRANGLE, DATED 1967; PHOTOREVISED 1988.



SITE LOCATION/SURROUNDING PROPERTY
 UPTOWN LAND
 WEST 5TH STREET AT W TRADE STREET
 CHARLOTTE, NORTH CAROLINA

PREPARED BY ROF	DATE 5-2-08	CHECKED KRL	DATE 5/17/08	JOB NO. 6228-08-4637	FIGURE 1
--------------------	----------------	----------------	-----------------	-------------------------	-------------

P:\AutoCAD Drawings Only\Environmental\2008\6228-08-4637 Uptown Land\1-site.dwg Thu, 01 May 2008 - 1:28pm mharris

APPENDIX B

USER/OWNER QUESTIONNAIRE

**PHASE I ENVIRONMENTAL SITE ASSESSMENT
USER QUESTIONNAIRE
MACTEC Engineering and Consulting, Inc.**

Introduction:

To comply with ASTM E 1527-05 and with the Standard for All Appropriate Inquiries issued by the United States Environmental Protection Agency as set forth in the 40 CFR 312, the user, who is defined below, must provide the information that is requested below to the MACTEC Environmental Professional. If the user fails to provide this information, a court could determine that the All Appropriate Inquiry was not complete.

User is defined as the party seeking to use ASTM E 1527-05 to complete an environmental site assessment of the property. A user may include, without limitation, a potential purchaser of property, a potential tenant of property, an owner of property, a lender, or a property manager. The user has specific obligations as outlined in Section 6 of ASTM E 1527-05. The User will normally be MACTEC's Client.

The User can obtain a copy of ASTM E 1527-05, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* at the ASTM web site <http://www.astm.org/>.

In any case where the questionnaire requests an explanation or the User believes that additional information is appropriate, please provide all relevant information on an attached sheet and identify the question to which the information pertains.

Site Information:

**Uptown Land
Charlotte, NC**

1. Environmental cleanup liens that are filed or recorded against the site (See, CFR 312.25)

Are you aware of any environmental cleanup liens against the property that are filed or recorded under federal, tribal, state or local law? ___yes or Xno If yes, please explain.

2. Activity and land use limitations that are in place on the site or that have been filed or recorded in a registry (See, 40 CFR 312.26)

Are you aware of any activity and use limitations, such as engineering controls, land use restrictions or institutional controls that are in place at the site and/or have been filed or recorded in a registry under federal, tribal, state or local law? ___yes or Xno If yes, please explain.

3. Specialized knowledge or experience of the person seeking to qualify for the Landowner Liability Protections (See, 40 CFR 312.28)

As the user of this Phase I, do you have any specialized knowledge or experience related to the property or nearby properties? yes or no If yes, please explain.

Are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by that type of business? yes or no If yes, please explain.

4. Relationship of the purchase price to the fair market value of the property if it were not contaminated (See, 40 CFR 312.29) (What if no sale is involved e.g. refinancing?)

Does the purchase price being paid for this property reasonably reflect the fair market value of the property? yes or no If you answer the preceding question other than yes, please answer the following question.

If you concluded that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property? yes or no If yes, please explain.

5. Commonly known or reasonably ascertainable information about the property (See, 40 CFR 312.30)

Are you aware of commonly known or reasonably ascertainable information about the property that would help the environmental professional to identify conditions indicative of a release or threatened release? yes or no For example, as user:

- Do you know the past uses of the property? yes or no If yes, please explain.
950 Lot – Paved parking lot since 2002; prior use unknown
1000 Lot – gravel parking lot

- Do you know of specific chemicals that are present or once were present at the property?
yes or no If yes, please explain.

950 Lot – UST Tank Closure in June 2002 (LAW Project 30100-2-2544)

- Do you know of spills or other chemical releases that have taken place at the property?
yes or no If yes, please explain.

See above

- Do you know of any environmental cleanups that have taken place at the property?
yes or no If yes, please explain.

See above

6. The degree of obviousness of the presence of likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation (See, 40 CFR 312.31)

As the user of this Phase I, based on your knowledge and experience related to the property, are there any obvious indicators that point to the presence or likely presence of contamination at the property? ___yes or ___no If yes, please explain.

No

Signed/Date

Printed Name / Title

((Please Circle One))

Property Owner; Former Property Owner; Potential Buyer of Property; Real Estate Agent; Other

(if other, please explain)

APPENDIX C
SITE PHOTOGRAPHS



Photograph 1: Large tree on site.



Photograph 2: Irwin Creek near western site boundary.



Photograph 3: Site area between Sycamore Street and Irwin Creek.



Photograph 4: Catch basin.



Photograph 5: Former rear of Elmer's Auto Service property.



Photograph 6: View of site.



Photograph 7: Catch basin.



Photograph 8: Minority Contractor's Association building.



Photograph 9: View of parking lot.



Photograph 10: View of parking lot.



Photograph 11: View of unpaved parking lot.

APPENDIX D
EDR REPORT

APPENDIX E
SANBORN FIRE INSURANCE MAPS

Certified Sanborn® Map Report



Sanborn® Library search results
Certification # 8E45-4E90-B31D

Uptown Parcels
1012 West Trade Street
Charlotte, NC 28202

Inquiry Number 2199267.2s

April 21, 2008



EDR® Environmental
Data Resources Inc

The Standard in Environmental Risk Information

440 Wheelers Farms Rd
Milford, Connecticut 06461

Nationwide Customer Service

Telephone: 1-800-352-0050
Fax: 1-800-231-6802
Internet: www.edrnet.com

Certified Sanborn® Map Report

4/21/08

Site Name:

Uptown Parcels
1012 West Trade Street
Charlotte, NC 28202

Client Name:

MACTEC, Inc.
2801 Yorkmont Road
Charlotte, NC 28208

EDR Inquiry # 2199267.2s

Contact: Rob Foster



EDR® Environmental
Data Resources Inc

The complete Sanborn Library collection has been searched by EDR, and fire insurance maps covering the target property location provided by MACTEC, Inc. were identified for the years listed below. The certified Sanborn Library search results in this report can be authenticated by visiting www.edrnet.com/sanborn and entering the certification number. Only Environmental Data Resources Inc. (EDR) is authorized to grant rights for commercial reproduction of maps by Sanborn Library LLC, the copyright holder for the collection.

Certified Sanborn Results:

Site Name: Uptown Parcels
Address: 1012 West Trade Street
City, State, Zip: Charlotte, NC 28202
Cross Street:
P.O. # NA
Project: 6228-08-4637
Certification # 8E45-4E90-B31D



Sanborn® Library search results
Certification # 8E45-4E90-B31D

Maps Identified - Number of maps indicated within "()"

1963 (1)
1953 (1)
1950 (1)
1929 (1)

Total Maps: 4

The Sanborn Library includes more than 1.2 million Sanborn fire insurance maps, which track historical property usage in approximately 12,000 American cities and towns. Collections searched:

- Library of Congress
- University Publications of America
- EDR Private Collection

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Certification # BE45-4E90-831D

Site Name: Uptown Parcels
 Address: 1012 West Trade Street
 City, ST, ZIP: Charlotte NC 28202
 Client: MACTEC, Inc.
 EPR Inquiry: 219628728
 Order Date: 4/21/2008 11:37:28 AM
 Certification #: BE45-4E90-831D



Copyright: 1993

CHARLOTTE, NC 28202
313

Irwin Creek

S. SYCAMORE

N. SYCAMORE

272SW (2)

209NW (2)

323

WOODLAWN RD

W. TRADE

W. 5TH ST

IRWIN AV.

WOODLAWN AV.

W. 4TH ST

VICTORIA AVE

245SW

176NW

315

N. CLARKSON

314

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Certification # 8E45-4E90-831D

Site Name: Uptown Parcels
Address: 1012 West Trade Street
City, ST, ZIP: Charlotte NC 28202
Client: MACTEC, Inc.
EDR Inquiry: 2189267.35
Order Date: 4/21/2008 11:57:26 AM
Certification #: 8E45-4E90-831D



Copyright: 1953

313

(59-04-97-99)

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323

317

Certification #

8E45-4E90-B31D

320

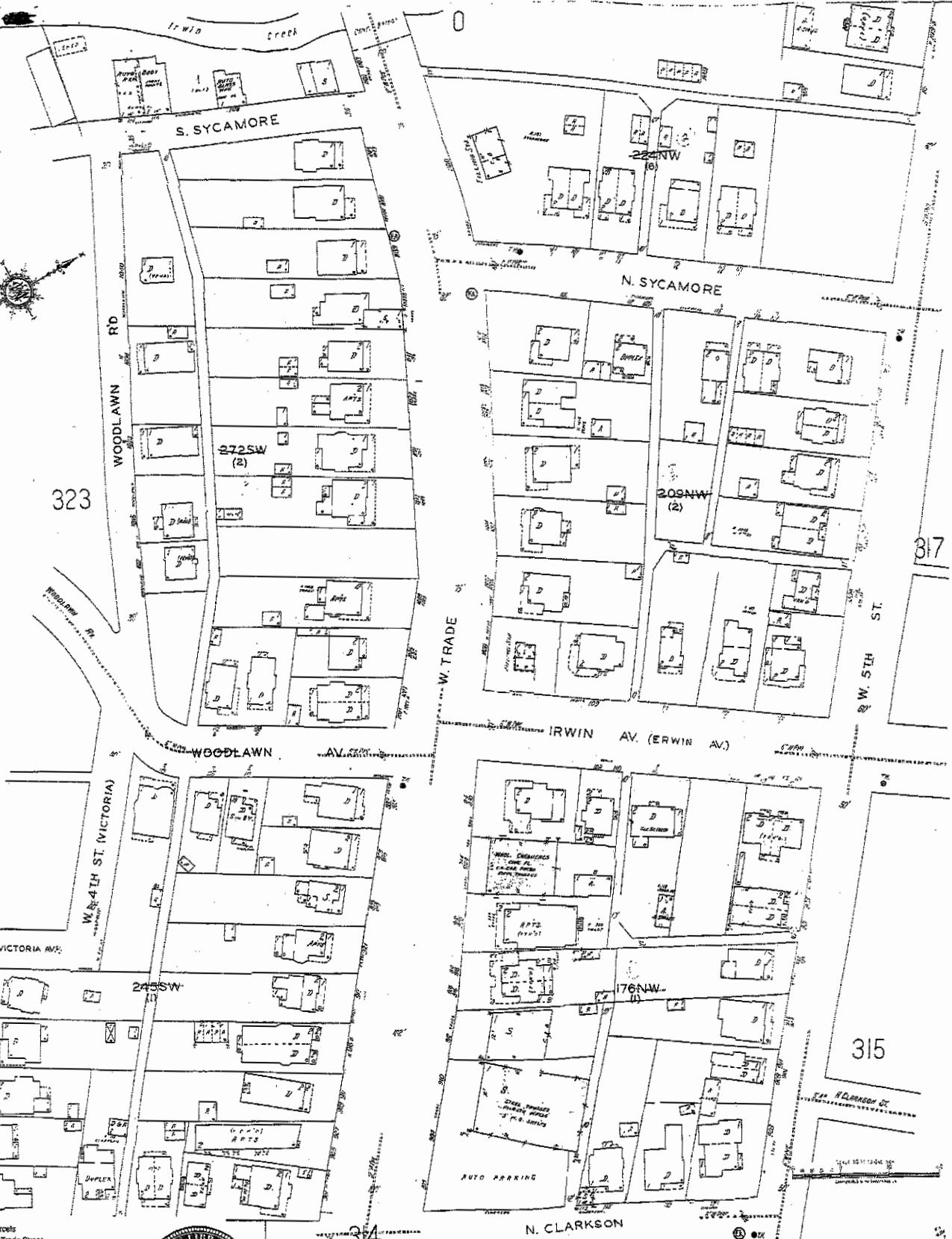
315

314

Site Name: Uptown Parcels
Address: 1012 West Trade Street
City, ST, ZIP: Charlotte NC 28202
Client: MACTEC, Inc.
EDR Inquiry: 2159287.25
Order Date: 4/21/2008 11:57:28 AM
Certification #: 8E45-4E90-B31D



Copyright: 1990



313

150-94-97-99

Ironen Creek

S. SYCAMORE

224NW

N. SYCAMORE

272SW (2)

209NW (2)

323

WOODLAWN RD

W. TRADE

317

W. 5TH ST.

IRWIN AV. (ERWIN AV.)

W. 4TH ST. (VICTORIA)

VICTORIA AV.

245SW

176NW

320

315

N. CLARKSON

314

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Certification # 8E45-4E90-831D

Site Name: Uptown Parcels
Address: 1012 West Trade Street
City, ST, ZIP: Charlotte NC 28202
Client: MACTEC, Inc.
EDR Inquiry: 2199267.2s
Order Date: 4/21/2008 11:57:28 AM
Certification #: 8E45-4E90-831D



Copyright: 1929

APPENDIX F
PROPERTY DEED INFORMATION

JUDITH A GIBSON REC OF DEEDS MECK NC
FILED FOR REGISTRATION 09/24/97 16:36
BK: 09266 PG: 0881/0883 \$:0453 12.00
*** NC EXCISE TAX: 756.00 ***

MECKLENBURG COUNTY

756.00



Real Estate
Excise Tax

SEP 24 J

Excise Tax \$ 756.00

Recording Time, Book and Page

Tax Lot No. 078-123-01 Parcel Identifier No.

Verified by County on the day of 19

by

WALTER KEANS MULLINS & MOORE, LLP

Mail after recording to

This instrument was prepared by ROBERT L. LINDSEY, JR., ATTORNEY, 2316 Randolph Road,
Charlotte, North Carolina, 28207

Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 24 day of SEPTEMBER, 1997, by and between

GRANTOR

GRANTEE

ROBERT WAYNE COOKE
and wife,
CAROL H. COOKE

SOUTHPORT INVESTMENTS, L.L.C.,
a North Carolina Limited
Liability Company

Post Office Box 3847
Charlotte NC 28231

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Charlotte, Mecklenburg

Mecklenburg County, North Carolina and more particularly described as follows:

Lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows: BEGINNING at a hole in concrete at the intersection of the southwesterly margin of the 60-foot right-of-way of West Fifth Street with the southeasterly margin of the 47.7 foot right-of-way of North Clarkson Street; and running thence from said point or place of BEGINNING with said southwesterly margin of said right-of-way of West Fifth Street S. 48-15-20 E. 104.66 feet to an iron pin found in the line of the property of Norman Kent Robinson, as described in the document recorded in Book 4994, at Page 229 of the Mecklenburg County Public Registry; thence with the line of said property of Norman Kent Robinson (now or formerly) S. 41-25-3 W. 138.66 feet to an iron pipe set in the line of the property of Troy L. Brown, as described in the document recorded in Book 5944, at Page 442, aforesaid Registry; thence, with the line of the said property of Troy L. Brown (now or formerly) N. 45-47-5 W. 84.73 feet to an iron pipe found in the southeasterly margin of the 47.7 foot right-of-way of North Clarkson Street; thence with said southeasterly margin of said right-of-way of North Clarkson Street N. 32-59-17 E. 136.60 feet to a hole in concrete, the point or place of BEGINNING.

756.00

The property hereinabove described was acquired by Grantor by instrument recorded in
Book 6403, at Page 633 of the Mecklenburg County, North Carolina, Public
Registry.

A map showing the above described property is recorded in Plat Book page.....

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to
the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey
the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and
defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

All such valid and enforceable easements, conditions and restrictions
as may appear of record and the lien of ad valorem taxes for the current
year, which the Grantee hereby assumes and agrees to pay.

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30

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed to its
corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first
above written.

.....
(Corporate Name)
By:
.....
President
ATTEST:
.....
Secretary (Corporate Seal)

USE BLACK INK ONLY

Robert Wayne Cooke (SEAL)
ROBERT WAYNE COOKE
CAROL H. COOKE (SEAL)
By: *Robert Wayne Cooke, Sr.* (SEAL)
Robert Wayne Cooke, Sr.,
her Attorney-in-Fact (SEAL)



NORTH CAROLINA, MECKLENBURG County.
I, a Notary Public of the County and State aforesaid, certify that
Robert Wayne Cooke Grantor,
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
hand and official stamp or seal, this 24th day of SEPTEMBER, 1997.
My commission expires: 10-17-97 Winona Ann Pellington Notary Public

Use Black Ink

NORTH CAROLINA, County.
I, a Notary Public of the County and State aforesaid, certify that
personally came before me this day and acknowledged that he is Secretary of
..... a North Carolina corporation, and that by authority duly
given and as the act of the corporation, the foregoing instrument was signed in its name by its
President, sealed with its corporate seal and attested by as its Secretary.
Witness my hand and official stamp or seal, this day of, 19.....
My commission expires: Notary Public

The foregoing Certificate(s) of

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the
first page hereof.

REGISTER OF DEEDS FOR COUNTY
By Deputy/Assistant - Register of Deeds

After Recording Return To:

C Vandiver Smith, Esq
NationsBank, N A
Legal Department, NC1-007-20-01
NationsBank Corporate Center
100 North Tryon Street
Charlotte, North Carolina 28255

Prepared by:

Robert G Brinkley, Esq
Smith Helms Mulliss & Moore, L L P
201 N Tryon Street, 30th Floor
Charlotte, North Carolina 28202

Excise Tax: \$0

Tax Lot No.: 078-153-08

Brief Description for the Index: 1012 West Trade Street

NORTH CAROLINA SPECIAL WARRANTY DEED

This Deed made this 9th day of December, 1998

THE STATE OF NORTH CAROLINA §
 §
COUNTY OF MECKLENBURG §

WESTSIDE ACQUISITION, LLC, a North Carolina limited liability company ("Grantor"), c/o C Vandiver Smith, Esq, NationsBank, N.A., Legal Department, NC1-007-20-01, 100 North Tryon Street, Charlotte, North Carolina 28255, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10 00) paid to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, SOLD and CONVEYED and does hereby GRANT, SELL and CONVEY unto NATIONSBANK, N.A., a national banking association ("Grantee"), c/o C Vandiver Smith, Esq, NationsBank, N.A., Legal Department, NC1-007-20-01, 100 North Tryon Street, Charlotte, North Carolina 28255, in fee simple, that certain land located in Mecklenburg County, North Carolina, and being more particularly described in Exhibit A, attached hereto and incorporated herein by reference, together with all improvements, if any, located on such land (such land and improvements being collectively referred to as the "Property")

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances pertaining thereto, including all of Grantor's right, title and interest in and to adjacent streets, alleys and rights-of-way, subject to the exceptions hereinafter stated, unto Grantee and Grantee's heirs, successors and assigns forever, and Grantor does hereby bind itself and its successors to warrant and forever defend the Property unto Grantee and Grantee's heirs, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise

Grantee agrees to and accepts title to the Property subject to the following exceptions

- 1 Ad valorem taxes for the year 1998 and subsequent years, and
- 2 All valid and enforceable covenants, liens, encumbrances, defects, easements and other matters as shown on the public record

Except for the special warranty of title herein contained, GRANTEE ACKNOWLEDGES THAT GRANTOR HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY NEGATES AND DISCLAIMS ANY REPRESENTATIONS, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS TO, CONCERNING OR WITH RESPECT TO (A) THE VALUE, NATURE, QUALITY OR CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE WATER, SOIL AND GEOLOGY, (B) THE INCOME TO BE DERIVED FROM THE PROPERTY, (C) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE MAY CONDUCT THEREON, (D) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY, (E) THE HABITABILITY, MERCHANTABILITY, MARKETABILITY, PROFITABILITY OR FITNESS FOR a PARTICULAR PURPOSE OF THE PROPERTY, (F) THE MANNER OR QUALITY OF THE CONSTRUCTION OR MATERIALS, IF ANY, INCORPORATED INTO THE PROPERTY, (G) THE MANNER, QUALITY, STATE OF REPAIR OR LACK OF REPAIR OF THE PROPERTY, OR (H) ANY OTHER MATTER WITH RESPECT TO THE PROPERTY, AND SPECIFICALLY, THAT GRANTOR HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS REGARDING COMPLIANCE WITH ANY ENVIRONMENTAL PROTECTION, POLLUTION OR LAND USE LAWS, RULES, REGULATIONS, ORDERS OR REQUIREMENTS, INCLUDING THE DISPOSAL OR EXISTENCE, IN OR ON THE PROPERTY, OF ANY PETROLEUM HYDROCARBONS, RADON GAS OR HAZARDOUS MATERIALS, SUBSTANCES OR WASTES AS DEFINED BY ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS EXCEPT FOR THE SPECIAL WARRANTY OF TITLE EXPRESSLY SET FORTH HEREIN, GRANTEE FURTHER ACKNOWLEDGES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE SALE OF THE PROPERTY IS MADE ON AN "AS IS" CONDITION AND BASIS WITH ALL FAULTS

EXECUTED on the date set forth in the acknowledgment attached hereto to be effective as of the 9th day of December, 1998

WESTSIDE ACQUISITION, LLC, a
North Carolina limited liability company
(SEAL)

By Robert G. Brinkley (SEAL)

Name Robert G. Brinkley

Its Manager

EXHIBIT A TO SPECIAL WARRANTY DEED

LEGAL DESCRIPTION

Tax Parcel #. 078-153-08

Located in Mecklenburg County, North Carolina BEGINNING at an iron at the intersection of the northerly right-of-way line of West Trade Street and the westerly right-of-way line of North Irwin Avenue and runs thence with the right-of-way line of West Trade Street on two (2) courses (1) N 49-10-00 W 135 25 feet to an iron, and (2) N 55-58-30 W 59 81 feet to an iron, thence N 44-09-10 E 156 73 feet to an iron, thence S 50-12-00 E 58 10 feet to an iron, thence S 48-52-00 E 136 84 feet to an iron on the westerly right-of-way line of North Irwin Avenue, thence along the right-of-way line of North Irwin Avenue S 44-25-00 W 150 00 feet to the point and place of BEGINNING, and, BEING all of Lots 4, 5 and 7, in Block 2 of Irwin Park as shown on map thereof recorded in Map Book 230, page 51 in the Office of the Register of Deeds for Mecklenburg County, North Carolina LESS AND EXCEPT that property conveyed to the City of Charlotte by instrument recorded in Book 4736, page 458, Mecklenburg County Registry

Being the same property conveyed to Westside Acquisition, LLC by deed dated December 4, 1997 and recorded in Book 9443 at Page 402 of the Mecklenburg Public Registry

GRANTOR ASSIGNS, CONVEYS AND QUITCLAIMS, WITHOUT ANY REPRESENTATION AS TO ITS INTERESTS HEREIN, ANY RIGHT, TITLE AND INTEREST IT MAY HAVE IN AND TO THE PREMISES BOUNDED BY WEST FIFTH STREET, NORTH IRWIN AVENUE, WEST TRADE STREET AND NORTH SYCAMORE STREET, INCLUDING WITHOUT LIMITATION, ANY RIGHT, TITLE AND INTEREST IN ANY ALLEYS CLOSED THEREIN PURSUANT TO THE RESOLUTION CLOSING EIGHT (8) ALLEYS AND A PORTION OF NORTH CLARKSON STREET AS RECORDED IN RESOLUTION BOOK 35, PAGE 247 OF THE MECKLENBURG PUBLIC REGISTRY



JUDITH A. GIBSON
REGISTER OF DEEDS , MECKLENBURG COUNTY
COUNTY & COURTS OFFICE BUILDING
720 EAST FOURTH STREET
CHARLOTTE NC 28202

Filed For Registration: 12/10/1998 11:21 AM
Book RE 10103 Page: 417-421
Document No.: 1998194954
DEED 5 PGS \$14.00
Deputy. LYNETTE FEELY

State of North Carolina, County of Mecklenburg

The foregoing certificate of SUSAN L. ZIELINSKI Notary is certified to be correct. This 10TH of December 1998

JUDITH A. GIBSON, REGISTER OF DEEDS By _____
Deputy/Assistant Register of Deeds

Lynette Feely



1998194954

EXHIBIT A

Tract 1 (Mecklenburg County Tax Parcel Nos. 078-153-01 and -02)

Lying and being in the City of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

BEGINNING at an iron pin found at the intersection of the southeasterly margin of the 60-foot right of way of Sycamore Street with the southwesterly margin of the 60-foot right of way of West Fifth Street; and running thence from said beginning point with said southwesterly margin of said right of way of West Fifth Street the following three (3) courses and distances: (1) S. 46-57-15 E. 75.04 feet to an iron pipe found; (2) S. 46-47-52 E. 51.73 feet to an iron pipe found; and (3) S. 46-36-11 E. 103.00 feet to an iron pipe set in the northwesterly margin of a 10-foot alley; thence with said northwesterly margin of said 10-foot alley S. 41-37-16 W. 135.00 feet to a point; thence with the northerly margin of an alley S. 85-59-20 W. 20.40 feet to a point; thence with the northeasterly margin of a 10-foot alley N. 46-41-37 W. 215.70 feet to an iron pipe set in the southeasterly margin of the 60-foot right of way of Sycamore Street; thence with said southeasterly margin of said right of way of Sycamore Street the following two (2) courses and distances: (1) N. 41-31-29 E. 50.00 feet to an iron pin found; and (2) N. 41-46-59 E. 99.72 feet to an iron pin found, the point or place of BEGINNING; and containing 34,376 square feet, more or less, all as shown on that map entitled "Physical Survey of Property on West Trade Street," dated November 25, 1997 and prepared by Andrew G. Zoutewelle, reference to which map is hereby made for a more particular description.

BEING all of Lots 12, 13, 14, and 15 in Block 2 as shown on the map entitled "Revised Block #2 H. M. Irwin Property" recorded in Map Book 230 at Page 51 of the Mecklenburg County Public Registry.

Tract 2 (Mecklenburg County Tax Parcel No. 078-153-03)

Lying and being in the City of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

To find the point or place of Beginning, commence at an iron pin found at the intersection of the southeasterly margin of the 60-foot right of way of Sycamore Street with the southwesterly margin of the 60-foot right of way of West Fifth Street; thence with said southeasterly margin of said right of way of Sycamore Street the following two (2) courses and distances: (1) S. 41-46-59 W. 99.72 feet to an iron pin found; and (2) S. 41-31-29 W. 59.96 feet to an iron pipe found, the point or place of BEGINNING; and running thence from said beginning point with the southwesterly margin of a 10-foot alley S. 46-41-37 E. 215.70 feet to a point; thence with the westerly margin of an alley S. 3-48 E. 20.00 feet to a point; thence with the northwesterly margin of a 10-foot alley S. 41-37-16 W. 25.89 feet to a point; thence with the northeasterly margin of an alley the following two (2) courses and distances: (1) N. 70-40 W. 20.00 feet to a point; and (2) N. 52-44-49 W. 212.00 feet to an iron pipe set in the southeasterly margin of the 60-foot right of way of Sycamore Street; thence with said southeasterly margin of said right of way of Sycamore Street N. 41-39-7 E. 70.00 feet to an iron pipe found, the point or place of BEGINNING; and

0094661-00001

009488-000722

containing 13,141 square feet, more or less, all as shown on that map entitled "Physical Survey of Property on West Trade Street," dated November 25, 1997 and prepared by Andrew G. Zoutewelle, reference to which map is hereby made for a more particular description.

BEING all of Lot 8 in Block 2 as shown on the map entitled "Revised Block #2 H. M. Irwin Property" recorded in Map Book 230 at Page 51 of the Mecklenburg County Public Registry.

Tract 3 (Mecklenburg County Tax Parcel Nos. 078-153-04, -06 and -07)

Lying and being in the City of Charlotte, Mecklenburg County and being more particularly described as follows:

BEGINNING at an iron pipe found at the intersection of the southeasterly margin of the 60-foot right of way of Sycamore Street with the northeasterly margin of the right of way of West Trade Street; and running thence with said southeasterly margin of said right of way of Sycamore Street N. 41-39-7 E. 176.70 feet to an iron pipe set; thence with the southwesterly margin of a 10-foot alley S. 52-44-49 E. 195.75 feet to an iron pin found; thence with the line of the property of W. J. King, as described in the document recorded in Book 5440 at Page 523 of the Mecklenburg County Public Registry S. 41-31-32 W. 156.71 feet to an iron pipe found in the northeasterly margin of the right of way of West Trade Street; thence with said northeasterly margin of said right of way of West Trade Street N. 58-30-9 W. 198.59 feet to an iron pipe found, the point or place of BEGINNING; and containing 32,564 square feet, more or less, all as shown on that map entitled "Physical Survey of Property on West Trade Street," dated November 25, 1997 and prepared by Andrew G. Zoutewelle, reference to which map is hereby made for a more particular description.

Tract 4 (Mecklenburg County Tax Parcel Nos. 078-153-12 and -13)

Lying and being in the City of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

To find the point or place of Beginning, commence at an iron pipe found at the intersection of the southeasterly margin of the 60-foot right of way of Sycamore Street with the northeasterly margin of the right of way of West Trade Street; thence with said northeasterly margin of said right of way of West Trade Street S. 58-30-9 E. 198.59 feet to an iron pipe found; thence with the line of the property of W. J. King, as described in the document recorded in Book 5440 at Page 523 of the Mecklenburg County Public Registry N. 41-31-32 E. 156.71 feet to an iron pin found; thence with the southwesterly margin of a 10-foot alley the following two (2) courses and distances: (1) S. 52-49-38 E. 58.10 feet to an iron pipe set; and (2) S. 51-31-40 E. 136.76 feet to an iron pin found in the northwesterly margin of the right of way of North Irwin Avenue; thence with said northwesterly margin of said right of way of North Irwin Avenue N. 41-46-32 E. 10.02 feet to an iron pipe set, the point or place of BEGINNING; and running thence from said beginning point with the northeasterly margin of a 10-foot alley N. 52-2-56 W. 135.15 feet to an iron pin found;

57/4466-0000/23

thence with the easterly margin of an alley N. 6-34-8 W. 20.00 feet to a point; thence with the southeasterly margin of a 10-foot alley N. 41-37-16 E. 116.71 feet to an iron pipe found; thence with the line of the property of F. J. Anderson (now or formerly) and with the line of the property of F. J. Hinson, as described in the document recorded in Book 4654 at Page 731, aforesaid Registry, S. 46-42-48 E. 149.93 feet to an iron pipe found in the northwesterly margin of the right of way of North Irwin Avenue; thence with said northwesterly margin of said right of way of North Irwin Avenue the following two (2) courses and distances: (1) S. 41-33-21 W. 60.53 feet to an iron pin found; and (2) S. 41-46-32 W. 56.51 feet to an iron pipe set, the point or place of BEGINNING; and containing 18,481 square feet, more or less, all as shown on that map entitled "Physical Survey of Property on West Trade Street," dated November 25, 1997 and prepared by Andrew G. Zoutewelle, reference to which map is hereby made for a more particular description.

TOGETHER WITH all of Grantor's right, title and interest in and to the alley containing 8,503 square feet, more or less, contained in the block bounded by West Trade Street, North Irwin Avenue, West 5th Street and Sycamore Street, as shown on that map entitled "Physical Survey of Property on West Trade Street," dated November 25, 1997 and prepared by Andrew G. Zoutewelle, reference to which map is hereby made for a more particular description.

State of North Carolina, County of Mecklenburg
The foregoing certificate(s) of Rachael H. Kennedy

Notary(ies) Public is/are certified to be correct. This 9th day of February, 1998

JUDITH A. GIBSON, REGISTER OF DEEDS By: Mary A. Gray Deputy Register of Deeds
RD98

BK: 09935 PG: 0080/0081 #:0216 10.00
*** NC EXCISE TAX: 1000.00 ***
JUDITH A GIBSON REG OF DEEDS MECK NC
FILED FOR REGISTRATION 09/24/98 11:35

NC REAL ESTATE TAX**MECKLENBURG COUNTY

Excise Tax \$1,000.00

Recording Time, Book and Page

Tax Lot No. 078-153-14 Parcel Identifier No.
Verified by County on the day of 19
by

Mail after recording to ~~GRANDER~~ SMITH HELMS MULLISS & MOORE, L.L.P. (JMZ) (BOX 72)

This instrument was prepared by Richard G. Hoefling, Attorney at Law

Brief description for the Index 5th Street and Irwin Avenue

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 24th day of September, 1998, by and between

GRANTOR

GRANTEE

Rosa Lee Hinson
(unmarried)

3405 Benard Avenue
Charlotte, N. C. 28206

NationsBank, N.A., a national banking association
c/o Ms. Amy Carter
401 N. Tryon St., 6th Floor
NC1-021-06-10
Charlotte, NC 28255

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Charlotte, Charlotte Township, Mecklenburg County, North Carolina and more particularly described as follows:

BEGINNING at the intersection formed by the southerly margin of W. 5th Street and the westerly margin of N. Irwin Avenue, and runs thence with the westerly margin of N. Irwin Avenue in a southerly direction 75 feet to a point marking the common front corner between Lots 10 and 11 in Block 2 as shown upon the map of Irwin Park recorded in the Mecklenburg County Public Registry in Book 195, page 663; thence with the dividing line between said Lots 10 and 11 in a westerly direction 100 feet; thence a new line crossing Lot 11 in a northerly direction, parallel with N. Irwin Avenue, 75 feet to a point in the southerly margin of W. 5th Street; thence with the Southerly margin of W. 5th Street in an easterly direction 100 feet to the place of BEGINNING, and being the easterly and greater portion of Lot 11 in Block 2 as shown upon the above mentioned map of Irwin Park to which reference is hereby made.

BEING the same property conveyed to Bennie J. Hinson and wife Rosa Lee Hinson by deed recorded in Mecklenburg County Public Registry in Deed Book 4654, Page 731. Also Bennie J. Hinson died on 11/14/96, see Estate File No. 96E-3370 in the Clerk of Superior Court office Mecklenburg County.

1000.00
DMJ

The property hereinabove described was acquired by Grantor by instrument recorded in
Deed Book 4654, Page 731

Deed

A map showing the above described property is recorded in ~~Deed~~ Book 195 page 663
Tax Line Map Book 78, Page 15

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

zoning ordinances affecting the property, utility easements of record serving the property,
taxes not yet due and payable and road rights-of-way of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed, by authority of its Board of Directors, the day and year first above written.

.....
(Corporate Name)

By:
..... President

ATTEST:

..... Secretary (Corporate Seal)

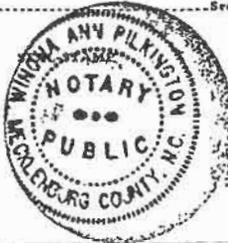
USE BLACK INK ONLY

Rosa Lee Hinson (SEAL)
Rosa Lee Hinson

..... (SEAL)

..... (SEAL)

..... (SEAL)



NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that
Rosa Lee Hinson Grantor,

personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 24th day of September, 19 98.

My commission expires: 11/4/2002 Winona Ann Pilkington Notary Public

SEAL-STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that

personally came before me this day and acknowledged that ... he is Secretary of

..... a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its

President, sealed with its corporate seal and attested by as its Secretary.

Witness my hand and official stamp or seal, this day of, 19.....

My commission expires: Notary Public

The foregoing
..... State of North Carolina, County of Mecklenburg

The foregoing certificate(s) of *Winona Ann Pilkington*
is/are certified first page her

Notary(ies) Public is/are certified to be correct. DATE: SEPT 24 1998 COUNTY

By JUDITH A. GIBSON, REGISTER OF DEEDS By: *Sherry L. Reed* Deputy Register of Deeds RD98-598

09873 PG: 0121/0125 #:0688 16.00
*** NC EXCISE TAX: 385.00 ***
JUDITH A GIBSON REG OF DEEDS MECK NC
FILED FOR REGISTRATION 08/21/98 16:20

NC REAL ESTATE TAX***MECKLENBURG COUNTY

Excise Tax

Recording Time, Book and Page

Tax Lot No. 078-153-15 Parcel Identifier No.
Verified by County on the day of 19
by

Mail after recording to SMITH HELMS MULLISS & MOORE, L.L.P. (JMZ)(BOX 72)

This instrument was prepared by SMITH HELMS MULLISS & MOORE, L.L.P. (JMZ)

Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this day of August, 19 98, by and between

GRANTOR

ALICE D. ANDERSON and FRANK J. ANDERSON*

GRANTEE

NATIONSBANK, N.A., a national banking
association
P.O. Box 31247
Charlotte, North Carolina 28231

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The Designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Charlotte, Township, Mecklenburg County, North Carolina and more particularly described as follows:

See EXHIBIT A attached hereto and incorporated herein by reference.

*Frank J. Anderson is signing this Deed to convey any and all marital rights he may have in the property.

009873-000121

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The property hereinabove described was acquired by Grantor by instrument recorded in
Book 9551 Page 739

A map showing the above described property is recorded in Plat Book page.....

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

Zoning ordinances affecting the Property, utility easements of record serving the Property, 1998 taxes not yet due and payable and subsequent years, road rights-of-way of record.

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IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

SEE ATTACHED SIGNATURE PAGE ADDENDUM

.....(SEAL)
(Corporate Name)
By:(SEAL)
.....President
ATTEST:(SEAL)
.....Secretary (Corporate Seal)(SEAL)

USE BLACK INK ONLY

SEAL-STAMP

NORTH CAROLINA, County.

Use Black Ink

I, a Notary Public of the County and State aforesaid, certify that Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this day of 19..... My commission expires: Notary Public

SEAL-STAMP

NORTH CAROLINA, County.

Use Black Ink

I, a Notary Public of the County and State aforesaid, certify that Secretary of a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by as its Secretary. Witness my hand and official stamp or seal, this day of 19..... My commission expires: Notary Public

The foregoing Certificate(s) of

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

REGISTER OF DEEDS FOR COUNTY

By Deputy/Assistant - Register of Deeds

SIGNATURE PAGE ADDENDUM

GRANTORS:

Alice D. Anderson (SEAL)
ALICE D. ANDERSON

*Alice D. Anderson as
Attorney-in-Fact for
Frank J. Anderson* (SEAL)
ALICE D. ANDERSON as Attorney-in-Fact
for FRANK J. ANDERSON

0095873-000124

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I, the undersigned, a Notary Public of said County and State, do hereby certify that
ALICE D. ANDERSON personally appeared before me this day and acknowledged the due
execution of the foregoing instrument.

WITNESS my hand and official seal or stamp, this the 21st day of
August, 1998.

Winona Ann Pilkington
Notary Public

My Commission Expires:



Document Number: 223709

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

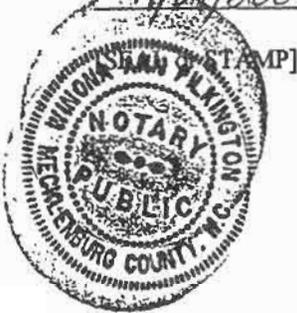
I, the undersigned, a Notary Public, do hereby certify that ALICE D. ANDERSON, Attorney-in-Fact for FRANK J. ANDERSON, personally appeared before me this day and being by me duly sworn, says that she executed the foregoing and annexed instrument for and in behalf of FRANK J. ANDERSON, and that her authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged and recorded in the Office of the Register of Deeds of Mecklenburg County, North Carolina, on October 30, 1997, in Book 8524 at Page 225; that this instrument was executed under and by virtue of the authority given by said instrument granting her power of attorney; that the said ALICE D. ANDERSON acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed for and in behalf of the said FRANK J. ANDERSON.

WITNESS my hand and official seal or stamp, this the 21st day of August, 1998.

Winston Ann Pilkington
Notary Public

My Commission Expires:

11/01/2002



009875-000125

State of North Carolina, County of Mecklenburg

The foregoing certificate(s) of *Winston Ann Pilkington*

Notary(ies) Public is/are certified to be correct. DATE: AUG 21 1998

JUDITH A. GIBSON, REGISTER OF DEEDS By: *Nancy Jones* Deputy Register of Deeds
RD98-598

BK: 07724 PG: 0946/0951 #:0581 18.00
*** NC EXCISE TAX: 2446.00 ***
JUDITH A GIBSON REG OF DEEDS MECK NC
FILED FOR REGISTRATION 03/31/94 15:21

HECKLENBURG COUNTY MAR 31 1994

2446.00 TRAN 161



Real Estate Excise Tax

Excise Tax \$2,446.00

Tax Lot No. 078-152-03, 04, 05, 06, 07 & 14 and 078-051-01 Parcel Identifier No.

Verified by _____ County on the _____ day of _____, 19____
by _____

Mail after recording to Claude Q. Freeman, Jr., Robinson, Bradshaw & Hinson, P.A.,
1900 Independence Center, 101 North Tryon Street, Charlotte, NC 28246

This instrument was prepared by Claude Q. Freeman, Jr.

Brief description for the Index
N. Sycamore, W. Trade & W. 6th Streets

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 31st day of March, 1994, by and between

GRANTOR	GRANTEE
NCNB Community Development Corporation, a North Carolina corporation 901 West Trade Street Charlotte, NC 28202	NationsBank of North Carolina, N.A., a national banking association NC 1007-19-2 Charlotte, NC 28255-0065 Attention: Ms. Michelle Kelsey

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Charlotte, Mecklenburg County, North Carolina and more particularly described as follows:

Exhibit A attached hereto is incorporated herein by this reference.

\$2,446.00

RC

The property hereinabove described was acquired by Grantor by instrument recorded in Book 5566 at Pages 199, 191, 193, 195 and 197; Book 5971 at Page 55; and Book 5152 at Page 373

A map showing the above described property is recorded in Plat Book N/A page N/A

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

1. Ad valorem taxes for 1994 and subsequent years.
2. All valid and enforceable easements, restrictions, covenants and conditions of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

NCNB Community Development Corporation
(Corporate Name)

By: *Wm. Vann Perry*
W. V. Perry President

ATTEST:
Rebekah Griffin
Assistant Secretary (Corporate Seal)

USE BLACK INK ONLY

.....(SEAL)
.....(SEAL)
.....(SEAL)
.....(SEAL)



NORTH CAROLINA, County.
I, a Notary Public of the County and State aforesaid, certify that Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this day of 19.....
My commission expires: Notary Public



NORTH CAROLINA, Mecklenburg County.
I, a Notary Public of the County and State aforesaid, certify that *Rebekah Griffin* personally came before me this day and acknowledged that *she* is *Asst.* Secretary of NCNB Community Development Corporation, a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its *vice* President, sealed with its corporate seal and attested by *her* as its *Asst.* Secretary.
Witness my hand and official stamp or seal, this *31st* day of *March*, 19*94*.
My commission expires: *3-5-96* *Claude J. Freeman, Jr.* Notary Public

The foregoing Certificate(s) of

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

..... REGISTER OF DEEDS FOR COUNTY

By Deputy/Assistant - Register of Deeds

Exhibit A

To Deed dated March 31, 1994 from NCNB Community
Development Corporation to NationsBank of
North Carolina, N.A.

107 N. Sycamore Street
Tax Lot No. 078-152-03

BEGINNING at an iron stake on the northwest side of Sycamore Street at the south corner of Mrs. M. W. Daniel's lot (now or formerly), and running thence with her line North 45-57 West 135 feet; thence South 88-28 West 20.8 feet; thence in a line parallel with Sycamore Street South 43-10 West 20 feet; thence South 0-57 East 21.4 feet; thence South 45-57 East 135 feet to the northeast side of Sycamore Street; thence in a northeasterly direction with northwest side of Sycamore Street 50 feet to the point or place of BEGINNING.

And being all of the property conveyed to Grantor by deed recorded in Book 5566 at Page 199 of the Mecklenburg County Public Registry which is incorporated herein by this reference.

113 N. Sycamore Street
Tax Lot No. 078-152-04

BEGINNING at an iron stake at the Northeast corner of Lot No. 1100 of Block No. 6 as shown on the Irwin Map recorded in Book 195, Page 663 in the Mecklenburg Public Registry, to which map reference is hereby made; thence North 45-57 West and along an alleyway shown on said map 135.00 feet to an iron stake; thence South 88-38 West 20.80 feet to an iron stake; thence South 43-10 West 20.00 feet to an iron stake; thence South 0-57 East 21.40 feet to an iron stake; thence South 45-57 East 135.00 feet to an iron stake on Sycamore Street; thence North 43-10 East along Sycamore Street 50.00 feet to the place of BEGINNING.

BEING part of Lots 1100 and 1102 as shown on said map.

And being all of the property conveyed to Grantor by deed recorded in Book 5566 at Page 191 of the Mecklenburg County Public Registry which is incorporated herein by this reference.

07724.1948

Exhibit A
Page 2

115 N. Sycamore Street
Tax Lot No. 078-152-05

BEING all of Lot 3 in Block 6 of IRWIN PARK as shown on map thereof recorded in Map Book 195, Page 663 of the Mecklenburg County Public Registry.

And being all of the property conveyed to Grantor by deed recorded in Book 5566 at Page 193 of the Mecklenburg County Public Registry which is incorporated herein by this reference.

119 N. Sycamore Street
Tax Lot No. 078-152-06

BEING known and designated as all of Lot 5, Block 6 of that subdivision known as IRWIN and IRWIN PARK, as shown on map thereof recorded in the Mecklenburg Public Registry in Map Book 195, Page 663, reference to which is hereby made for a more particular description.

And being all of the property conveyed to Grantor by deed recorded in Book 5566 at Page 195 of the Mecklenburg County Public Registry which is incorporated herein by this reference.

123 N. Sycamore Street
Tax Lot No. 078-152-07

BEING all of Lots 7 and 9 of Block No. 6 of the IRWIN PROPERTY, as same is shown on map thereof recorded in Map Book 195 at Page 663 of the Mecklenburg County Public Registry.

And being all of the property conveyed to Grantor by deed recorded in Book 5566 at Page 197 of the Mecklenburg County Public Registry which is incorporated herein by this reference.

078-152-05

Exhibit A
Page 3

1100 W. Trade Street
Tax Lot No. 078-152-14

0566-12110

BEGINNING at a point which is located at the intersection of the northwesterly margin of the right-of-way of Sycamore Street and the existing northeasterly margin of the right-of-way of West Trade Street, which point is located N42-04E 1.23 feet along said margin of North Sycamore Street, if extended, from the former northeasterly margin of the right-of-way of West Trade Street, said BEGINNING point also being a corner of the property acquired by the North Carolina Highway Commission by Consent Judgment recorded in Book 2975 at page 181 in the Mecklenburg County Public Registry; thence, from said point of BEGINNING and running with two lines of the property acquired by the North Carolina Highway Commission as follows: (1) N66-14-20W 133.17 feet to a point; and (2) N35-40E 111.86 feet to a point which is located in the southwesterly margin of a 10-foot wide alley; thence, running with said margin of said 10-foot alley S47-54E 138.90 feet to a point which is located in the northwesterly margin of the right-of-way of Sycamore Street; thence, continuing with said margin of Sycamore Street S42-04W 70.5 feet to the point and place of BEGINNING, being a portion of lots 2, 3 and 4 of the H.M. Irwin property as shown on a map thereof recorded in Book 3 at page 78 in the Mecklenburg County Public Registry. There is included in this conveyance all right, title and interest of the Grantor to use the alleyways in common with the other owners and occupants of properties abutting thereon shown on the foresaid map.

And being all of the property conveyed to Grantor by deed recorded in Book 5971 at Page 55 of the Mecklenburg County Public Registry which is incorporated herein by this reference.

Exhibit A
Page 4

621 W. 6th Street
Tax Lot No. 078-051-01

BEGINNING at a point in the northwesterly margin of North Graham Street, which is N. 51-03-30 E. 50 feet from the point of intersection of said margin of North Graham Street with the northeasterly margin of Cates Street; thence N. 41-56-50 W. 130.92 feet; thence S. 51-28-30 W. 50 feet to an old iron at a corner of the property of A. H. Tarney, n.w. or formerly, and in the northeasterly margin of Cates Street; thence, with said margin of Cates Street, N. 41-58-35 W. 443.17 feet to an old iron in the property line of Southern Railway Company; thence, N. 45-22 E. 79.83 feet to an iron; thence S. 42-26 E. 125.33 feet to an old iron; thence N. 64-17 E. 11.84 feet to a point in the southwesterly margin of West 6th Street; thence S. 45-43 E. 100.40 feet to an old iron; thence S. 43-04 E. 360.25 feet to a point in the northwesterly margin of North Graham Street; thence, with said margin of North Graham Street, 68.77 feet to the point or place of BEGINNING.

For chain of title, reference is made to deeds recorded in Book 1029, Page 171; Book 1029, Page 173; and Book 1029, Page 176, in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

And being all of the property conveyed to Grantor by deed recorded in Book 5152 at Page 373 of the Mecklenburg County Public Registry which is incorporated herein by this reference.

State of North Carolina, County of Mecklenburg

The foregoing certificate(s) of Claude Q. Freeman, Jr.

Notary(ies) Public is/are certified to be correct.

This 31st day of March 1994

JUDITH A. GIBSON, REGISTER OF DEEDS

By: Mary H. Posey Deputy Register of Deeds

07724-0951

APPENDIX G

QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONAL AND STAFF

Total Years of Experience: 22

Education:

Bachelor of Geology Geological Science / Hydrogeology, 1984, Marshall University

Registrations:

Professional Geologist, SC, earned 2003, #2291

Professional Geologist, NC, earned 1994, #1335

Professional Geologist, FL, earned 1990, #1158

Certifications and Non Professional Licenses:

OSHA 40-hour HAZWOPER Hazardous Materials, US, earned - 1989

OSHA 8-hour Refresher Hazardous Materials, US, , earned - 2006

Robert C. Foster, III P.G. Principal / Project Manager

Career Summary

Mr. Foster is a Principal Geologist and Project Manager with two decades of experience managing both large and small projects for numerous clients, providing a variety of MACTEC core services. The service areas include geotechnical and construction engineering, facilities engineering, asbestos and lead-based paint assessment and abatement, natural resources, wetlands delineation and permitting, industrial hygiene, environmental assessment and remediation.

Mr. Foster's areas of technical expertise include environmental assessment and remediation of soil and groundwater at hazardous and non-hazardous waste sites. The types of sites assessed and remediated include solid waste landfills, former dry cleaning facilities, Underground Storage Tanks (USTs), bulk fuel terminals, a petroleum refinery, manufactured gas plants (MGP), metal-plating operations, PCB spills, chemical drum burial grounds, raw sewage releases, and others.

Mr. Foster has experience performing environmental assessment of the nature and extent of contamination at various types of commercial and industrial facilities and solid waste landfills. These studies have involved geological reconnaissance, geophysical exploration, drilling, soil and water sampling and analysis, field aquifer testing, and the installation of monitoring and recovery wells. Mr. Foster has compiled the data obtained from these studies and prepared subsurface profiles, potentiometric maps, and iso-concentration maps to delineate the extent of contamination and has prepared project update reports, quarterly sampling data submittals, and limited and comprehensive site assessment reports.

Mr. Foster has reviewed assessment data and prepared Corrective Action Plans (CAPs) to remediate affected soil and groundwater. Mr. Foster has organized and interpreted field data and prepared corrective action plans for active and passive remediation. He has served as project manager on several Operations, Maintenance and Monitoring projects involving pump-and-treat, and air-sparging groundwater remediation and soil vapor extraction. His responsibilities included reporting of discharge monitoring results and evaluation of system effectiveness. He has also performed air-sparging and vapor extraction pilot tests to determine the feasibility of using this type of remedial method at contaminated sites.

Mr. Foster typically performs environmental assessment and remediation for municipalities, state government agencies, real estate developers, public school systems, property owners, real estate brokers, attorneys, industrial manufacturers, lending institutions, and insurance companies.

Project Examples

Project Manager: Allstate Insurance Corporation Underground Storage Tank (UST) Rupture Soil and Groundwater Assessment / Remediation, Charlotte, North Carolina. Performed assessment of petroleum-affected soil and groundwater at site of rupture of 10,000-gallon underground storage tank (UST) containing diesel fuel. Subcontracted for removal of two USTs and excavation / disposal of affected soils. Performed recovery of diesel fuel floating on groundwater at site. Responsible



for field assessment work, including sampling and drilling observation related to the tank removal, soil cleanup; primary author on several reports prepared for submittal to NCDENR; served as Project Manager and Project Principal.

Project Manager: Yager Family LP Former S&S Grocery Store Site Soil and Groundwater Assessment / Remediation, Charlotte, North Carolina. Soil and groundwater assessments related to petroleum releases from several USTs on two-acre site, and excavation and disposal (by subcontractor) of about 900 tons of petroleum-contaminated soil. Installation of groundwater remediation system in 2002, operated until contaminant concentrations reduced to state cleanup standards. Responsible as Project Manager and Principal for performing field assessment work, including sampling and drilling observation related to the tank removal, soil cleanup; primary author on several reports prepared for submittal to NCDENR.

Project Manager: Charlotte-Mecklenburg Schools Rusak Property Waste Drum Characterization and Disposal, North Carolina. Waste profiling, characterization and disposal of 200 drums and containers of hazardous waste left on site by former business operators (chemical company and several metal-plating companies). Arranged for disposal of contaminated structural debris and excavation / disposal of more than 1,000 tons of soil contaminated with metal-plating solutions and chlorinated solvents. Conducting groundwater sampling at site to monitor natural attenuation of dissolved volatile organic compounds. Responsible as Project Manager and Principal for performing field assessment work, including sampling and drilling observation related to the assessment of contaminants; provided field supervision of the soil remediation; primary author on several reports prepared for submittal to NCDENR.

Project Manager: Wencost Restaurants Phase I Environmental Site Assessments for Due Diligence for 23 Sites, Columbia and Charleston, South Carolina. Environmental services for Phase I Environmental Site Assessments for property transfer due diligence at 23 Wendy's Restaurants sites in Columbia and Charleston (SC) and in Augusta (GA). Responsible as Project Manager and Project Principal for final review of reports.

Other than MACTEC Experience

Prior to joining MACTEC, Mr. Foster worked in geotechnical engineering for three years. He was involved in surface and subsurface geological and geotechnical investigations involving pavement design and foundation studies at residential and commercial sites, buildings, highways, bridges, airports, water treatment plants, and landfills.

Mr. Foster has supervised and performed the inspection and testing of various construction materials including asphalt, concrete, soil, fill placement and deep foundation (caisson) construction. He has performed laboratory tests including concrete compression tests, soil permeability tests, Atterberg limits, and gradation analysis.

Total Years of Experience: 6

Education:

Bachelor of Science in Environmental Engineering, 2000, United States Military Academy

Master of Environmental Engineering, 2004, University of Missouri

Registrations:

Professional Engineer, MO, earned 2004, #2004017228

Certifications and Non Professional Licenses:

OSHA 40-hour HAZWOPER earned 2006

Kerry A. Reed, P.E. **Project Engineer**

Career Summary

Ms. Reed is a Project Engineer, currently focusing on environmental services. Her responsibilities as an engineer at MACTEC include performing environmental site assessments involving groundwater quality, underground storage tank closures, and soil remediation investigations. Ms. Reed prepares Spill Prevention Control and Countermeasure plans and Stormwater Pollution Prevention Plans. Ms. Reed also coordinates operations and maintenance (O&M) activities in support of remediation systems and prepares reports suitable for use by clients and regulatory agencies.

Ms. Reed has extensive experience gained as an Engineer Officer for the United States Army Corps of Engineers. She obtained the rank of Captain before leaving the service and coming to work for MACTEC. During her time in the service, Ms. Reed held positions such as Platoon Leader, Unit Safety Officer, and Operations Officer.

Master MACTEC Project List

Project Engineer: Due Diligence, Various Locations in NC, SC, MACTEC's work has included conducting Phase I and Phase II Environmental Site Assessments at sites in the Charlotte metro and surrounding areas. MACTEC has installed monitoring wells and conducted soil and groundwater assessments related to petroleum releases from underground storage tanks and adjacent properties. Ms. Reed was responsible for completing Phase I Environmental Site Assessments and assisting with soil and groundwater sampling.

Engineer: AmerenUE Taum Sauk Reservoir Breach Emergency Response and Restoration Services, Taum Sauk State Park in Missouri, Remediation and restoration plans for the Black River downstream of the lower reservoir. Services included project management, site evaluation, feasibility studies, risk assessment, regulatory negotiations, civil and remedial design, remedial oversight, permit applications, master planning, construction services, stream restoration, testing, sampling and participation in the public involvement program. Ms. Reed was responsible for conducting water treatment and monitoring of dredging material from the Taum Sauk Lower Reservoir during water quality treatment with Alum:Sodium Aluminate application for flocculation to reduce turbidity. Her team maintained the water quality treatment system and adjusted the system as required to meet changing on-site conditions.

Project Engineer: BellSouth Affiliate Services Corporation Environmental Services Agreement for North Carolina, South Carolina, Various Locations in NC, SC, Phase I environmental site assessments, asbestos and indoor air quality (IAQ) services, and Phase II assessments, including tank closures and limited site



Kerry Reed Page 2

assessments CLSA, for service operations centers, vehicle refueling facilities, central office locations and other existing and potential BellSouth properties in two states. Ms. Reed was responsible for sampling analysis and preparing reports for assessment and remediation projects.

Project Engineer: New Tryon, LLC Site Environmental Assessment and Related Environmental Services, Charlotte, NC, Asbestos survey, Phase II environmental site assessment, underground storage tank (UST) removal and closure assessments, and soil remediation limited site assessments related to petroleum contamination at urban location of three buildings constructed on site between 1938 and 1960. Ms. Reed was responsible for providing field supervision of assessment / remediation work and preparing report deliverable.

Other than MACTEC Experience

Engineers, Numerous Construction Projects, Fort Lewis, Washington As a platoon leader, Ms. Reed managed thirty personnel who were skilled carpenters, masons, plumbers, electricians, and construction equipment operators. Her projects included construction of security enhancement at the gates of Fort Lewis in support of homeland security improvements and renovations of office buildings on Fort Lewis.

Project Manager: U.S. Army Corps of Engineers, New York Police Department Training Facility, New York, New York. She was the project manager for construction of a New York Police Department training/classroom facility. She managed thirty-five personnel and \$184,000 of sub-contracts. She was responsible for establishing work schedules, bill of materials, and quality assurance. Her platoon completed the project ahead of schedule and within budget.

Lead Planner: U.S. Army, Closure of Six Army Camps, Republic of Korea. Ms. Reed was the lead planner for closing six Army camps within ten miles of the demilitarized zone (DMZ). Ms. Reed's responsibilities included tracking movement of personnel and equipment, maintaining schedules, inter-agency coordination, and preparing briefings for the Division Commander and local communities. The mission was accomplished four months ahead of schedule. The management plans created by Ms. Reed and her team were used to set the standard for camp closures throughout Korea.