

PHASE I ENVIRONMENTAL
SITE ASSESSMENT

19-ACRE DETENTION BASIN
AND LAVEEN AREA CONVEYANCE CHANNEL
LAVEEN, ARIZONA

WT JOB NO. 2186JH120
CONTRACT NO. 2005C004
ASSIGNMENT NO. 11



**Western
Technologies
Inc.**

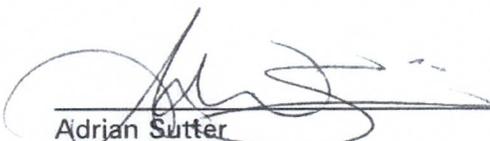
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June 14, 2006



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EXECUTIVE SUMMARY

Western Technologies Inc. (WT) conducted a Phase I Environmental Site Assessment (ESA) of the 19-Acre Detention Basin located at the southeast corner of Southern and 43rd Avenues, and the Laveen Area Conveyance Channel (LACC), in Laveen, Arizona. The purpose of this ESA was to identify to the extent feasible, pursuant to the processes described herein, recognized environmental conditions, in connection with the Property.

The Property contains a 19-acre detention basin and the LACC. The detention basin is landscaped and serves as a public park when it does not contain water. The northwest corner of the Property was covered in gravel and contained a pump in a fenced enclosure. Large concrete box culverts entered the east side of the Property with an apparent concrete spillway leading into the deepest part of the basin, and a paved footpath traverses the Property around the perimeter of the basin. The LACC is a 5.7-mile corridor containing a concrete channel within a 200-foot vegetated swath, which carries irrigation tail-water from the Laveen area and the Western Canal to the Salt River.

Adjoining land uses of the detention basin were residential. Along the LACC, adjoining uses included developing residential and agricultural land as well as a dairy farm.

The historical data available indicated that the Property has been native desert or vacant until it was improved as a detention basin in 2004. The surrounding area to the west was under agricultural cultivation until 2004, the areas to the east and south have contained residential development since the 1970's, and the north has been mostly vacant.

The Property was not identified in the searched state or federal databases.

In the surrounding area, Coreslab Structures Inc. was reported with one Leaking UST. The incident was reported closed with soil levels meeting state standards, and therefore the site does not represent a significant potential impact to the Property. Three sites were listed in the Leaking UST Program with use restrictions on file. These sites do not represent a potential impact to the Property.

WT has found no evidence of known or suspected environmental conditions associated with the Property. Therefore, WT concludes that this assessment has revealed no evidence of recognized environmental conditions currently in connection with the Property.



PHASE I ENVIRONMENTAL SITE ASSESSMENT

19-ACRE DETENTION BASIN AND LAVEEN AREA CONVEYANCE CHANNEL LAVEEN, ARIZONA

JOB NO. 2186JH120

1.0 INTRODUCTION

This report presents the results of a Phase I Environmental Site Assessment (ESA) of the 19-Acre Detention Basin located at the southeast corner of Southern and 43rd Avenues, and the Laveen Area Conveyance Channel (LACC), in Laveen, Arizona ("the Property").

1.1 Project Authorization

Western Technologies Inc. (WT) was authorized by Diana Stuart with FCDMC, to perform this ESA according to the scope of work, and terms and conditions of WT Proposal/Agreement No. 2186PH394, dated May 11, 2006.

1.2 Purpose

The purpose of this ESA was to identify, to the extent feasible pursuant to the processes prescribed herein, Recognized Environmental Conditions in connection with the Property.

1.3 Scope of Services

The scope of work implemented for this assessment meets the guidelines established by ASTM Standard Practice E 1527-2005, and included the following tasks:

- Standard Records Sources – WT obtained a commercial database report listing results for the Property and surrounding area for the standard records sources and minimum search distances described by ASTM E1527. The standard Federal records sources included the National Priorities List (NPL), the Comprehensive Environmental Response, Compensation, Liability Information System (CERCLIS), including sites scored as No Further Remedial Action Planned (NFRAP), the Resource Conservation Recovery Act (RCRA) databases of generators, transporters, and treatment, storage, and disposal facilities (TSDs), including Corrective Action sites (CORRACTS), and the Emergency Response Notification System (ERNS). The standard Arizona State records sources included the Water Quality Assurance Revolving Fund (WQARF) priority list, The Arizona Superfund Programs List, Voluntary Remediation Sites, Institutional Control Sites (VEMURs/DUERS), Registered Underground Storage Tanks (USTs), Leaking USTs, Solid Waste Facilities, and Hazardous Materials Incident Responses (HAZMAT).



- Additional Records Sources - WT reviewed additional environmental records available from local sources that included: electrical utility company records of polychlorinated biphenyls in transformers; records concerning tanks, hazardous materials permits, or emergency response incidents from the local fire department; septic systems from the Maricopa County Department of Environmental Health; and drywell registrations from the ADEQ.
- Physical Setting Sources - The physical setting of the Property and surrounding area was evaluated through the review of topographic maps from the United States Geological Survey and hydrological data provided by the Arizona Department of Water Resources.
- Historical Use Information - WT developed a summary of obvious uses of the Property by reviewing the following standard historical sources: aerial photographs; property tax files; topographic maps; local street directories; zoning and land use records; and other sources.
- Property Reconnaissance - WT performed a reconnaissance of current Property condition, to assess identifiable areas where hazardous substances or petroleum products are used, stored, handled, or disposed. WT evaluated observable ground surfaces, for known or suspect environmental conditions.
- Adjoining Land Use and Surrounding Area - WT evaluated the adjoining land uses in the surrounding area by observing uses and characteristics from the Property's perimeter or from public thoroughfares.
- Interviews - WT interviewed representatives of the current owner, occupants, or operators of the Property about observed site conditions and uses, general knowledge about the Property's environmental condition, including the availability of prior reports or records, historical land uses, and information relating to potential regulatory actions at the Property.
- Reporting - WT has developed this summary report describing the results of the ESA Process.

1.4 Significant Assumptions

WT was provided with narrative or diagrammatic descriptions of the Property's boundaries, and interpreted those boundaries in the field using easily identifiable landmarks. WT did not independently survey or verify boundaries based on legal descriptions, title information, or plat maps. WT assumes that the Property's boundaries were adequately disclosed to us by others.



The client has disclosed his actual knowledge of the existence of environmental conditions or prior environmental studies performed at the Property.

WT obtained data and information from other sources including public records, commercial sources, and Federal/Arizona/Local Government Officials. Therefore, the opinions expressed in this report are based on information developed by others. It is assumed that all data supplied to us is current, correct, and valid. The use of data in this report beyond identifying recognized environmental conditions is not authorized.

1.5 Limiting Conditions

WT encountered no limiting conditions during the site visit.

1.6 User Reliance

WT prepared this ESA for FCDMC and it is valid for a period of 180 days from the date of issuance. This ESA may not be utilized or relied upon by any other person or entity without the express written consent of WT.

2.0 PROPERTY AND AREA INFORMATION

This section describes the general characteristics, uses and development of the Property and the surrounding area.

2.1 Location

The Property is located at the southeast corner of Southern and 43rd Avenues and along a 5.7-mile corridor through Laveen, Arizona (see Site Map, Appendix A). According to records from the Maricopa County Assessor's Office, the parcel number for the Property is 105-89-939. The cadastral description of the Property relative to the U.S. Public Land Survey System is generally within a portion of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 34, Township 1 North, Range 4 East, and within the northeast $\frac{1}{4}$ and southwest $\frac{1}{4}$ of Section 33, and the southwest $\frac{1}{4}$ and the southeast $\frac{1}{4}$ of Section 32, Township 1 North, Range 2 East, and within the northeast $\frac{1}{4}$ of Section 5 and the northeast $\frac{1}{4}$ and northwest $\frac{1}{4}$ of Section 6, Township 1 South, Range 2 East, and within the northeast $\frac{1}{4}$ and the northwest $\frac{1}{4}$ of section 1, Township 1 South, Range 1 East and within the southeast $\frac{1}{4}$ and northwest $\frac{1}{4}$ of Section 35, , Township 1 North, Range 1 East, Gila and Salt River Baseline and Meridian, Maricopa County, Arizona.

2.2 Current Property Use and Occupancy

The Property contains a 19-acre detention basin and public park (Appendix B, Picture 1). The Property is intended to retain stormwater runoff from the surrounding areas. In addition the area is a grassy park with landscaping and a walking path.



The LACC is a 5.7-mile corridor containing a concrete channel within a 200-foot vegetated swath, which carries stormwater and irrigation tail-water from the Laveen area and the Western Canal to the Salt River.

2.3 Property Improvements and Features

The basin portion of the Property was improved but contained no site occupants. The northwest corner of the Property was the level of the surrounding area and was covered in gravel. The majority of the Property was a large retention basin that was landscaped and vegetated with grass and had a concrete pathway encircling it (Appendix B, Pictures 2-3). A gravel service road ran the perimeter of the detention basin (Appendix B, Picture 4).

Large concrete box culverts entered the east side of the Property with an apparent concrete spillway leading into the deepest part of the basin (Appendix B, Pictures 5-6). A rip-rap channel on the west side of the Property had culverts on either end and a third culvert near the center.

The Maricopa Drain, owned and operated by SRP, ran along the north side of the basin. A pump was located in the northwest corner of the Property where a former well was located (Appendix B, Picture 7). The former well was a monitoring well that was registered to FCDMC and was abandoned in 2000.

Runoff from the roadways adjacent to the Property and other adjoining areas is intended to enter the Property.

The LACC begins west of 43rd Avenue and trends to the southwest between two residential neighborhoods (Appendix B, Picture 8). The vegetated margins of the corridor are irrigated throughout the length of the channel. Inlets to the channel were seen throughout its length from adjoining sites (Appendix B, Pictures 9-10). These were either open concrete channels that drained into the LACC, or CMPs or culverts from adjoining areas. The LACC passed under intervening streets via concrete box culverts (Appendix B, Picture 11). The path of the LACC continued southwest across 51st Avenue, then it turned south and crossed Baseline Road just east of 59th Avenue (Appendix B, Pictures 12-13). It continued to trend southwest until it reached 67th Avenue there it turned due west until it reached the border of the Gila River Indian Community. In that section the channel passed an historic location known as the Webster House. Then the channel turned northwest and crossed Baseline Road again (Appendix B, Picture 14). The LACC appeared to terminate in a boggy area north of Baseline Road where the channel was no longer visible and eventually empties into the Gila River Indian Community Wetlands (Appendix B, Pictures 15-16).



2.4 Current Adjoining Property Use and Description

The area of the Property is located within a developing portion of Phoenix that is characterized by commercial and residential uses. The primary roads within the study area include Southern Avenue, which is directly north of the Property, and 43rd Avenue to the west. The LACC crosses 51st Avenue, 56th Avenue, 67th Avenue, and Baseline Road. The sites adjoining the detention basin consist of the following.

North is Southern Avenue followed by vacant land and several residential trailers and vehicles to the east (Appendix B, Pictures 17-18).

South are single-family residences (Appendix B, Picture 19).

East are single-family residences (Appendix B, Picture 20).

West beyond 43rd Avenue is a new residential development (Appendix B, Picture 21).

For the most part, the land use adjoining the LACC is residential, much of it is under construction and agricultural (Appendix B, Pictures 22-23). South of the portion between 56th and 67th is a dairy farm and agricultural land on either side of the channel. A somewhat forested area with residential trailers scattered between the trees was on the south side of the channel (Appendix B, Picture 24). More residential construction was north of the Property between 67th and 75th Avenues. Electric transmission lines parallel the channel after it turns north before 75th Avenue (Appendix B, Picture 25). Several abandoned structures were east of the channel where it turned toward the north again (Appendix B, Picture 26). Near the end of the channel north of Baseline Road is another farm with horses and cows in a corral adjacent to the channel and agricultural land to the west (Appendix B, Picture 27). West of the westernmost portion of the LACC is the Gila River Indian Community.

Based on our observation during the reconnaissance of the Property, WT did not find evidence of potential impacts to the Property from these adjoining sites. Activities on the Property did not appear to result in a potential threat of a release of hazardous substances or petroleum products onto these adjoining sites.

2.5 Physical Setting Sources

Topographic maps from the USGS and hydrogeologic reports from the ADWR were reviewed as standard physical setting sources of information about Property and surrounding area. The physical setting information represents a general indication of topographic and hydrogeologic conditions that may reflect pathways for the migration of hazardous substances and petroleum products onto or away from the Property. However, this regionally-based information may not accurately describe current site-specific physical setting conditions.



The Property has an approximate elevation of 1022 feet above Mean Sea Level (MSL) and the terrain slopes to the northwest. An ephemeral stream traverses the Property northeast to southwest, and the Salt River is 1 mile to the north.

The Property is located within the Phoenix Active Management Area, which is divided into several sub-basins consisting of broad alluvial basins filled with over a thousand feet of sedimentary deposits consisting primarily of silt, sand, clay, gravel, and cobbles. The Property is located in the West Salt River Sub-basin.

Three main water-bearing units comprise the basin-fill deposits. The units, in ascending order, are the Tertiary Lower Conglomerate Unit (LCU), the Quaternary and Tertiary Middle Fine-grained Unit (MFU), and the Quaternary Upper Alluvial Unit (UAU), (U.S. Bureau of Reclamation, 1976). The upper alluvial unit is the primary source of groundwater in the Phoenix Active Management Area. Groundwater is usually unconfined, but semi-confined conditions exist in areas where there is an increase of fine-grained materials.

Groundwater in the vicinity of the Property has been mapped by the Arizona Department of Water Resources as occurring at approximately 45 feet below the ground surface (ADWR, 2005). The regional groundwater flow, based on a 50-foot contour interval, is northwesterly.

3.0 USER PROVIDED INFORMATION

FCDMC has been identified as a User of this ESA and Diana Stuart provided information consistent with the User Responsibilities of the ASTM standard by completing and returning WT's User Questionnaire on June 7, 2006 (Appendix D).

3.1 Reason for Performing this ESA

FCDMC requested this ESA in support of requirements for the transfer of property from one government agency to another.

3.2 Property-Related Documents

FCDMC provided a copy of the following documents on May 30, 2006:

- LACC Phase I ESA, prepared by URS, dated March 2001
- Geotechnical Evaluation Laveen Area Conveyance Channel Maricopa County, Arizona FCD Project No. 1170831, Prepared by Ninyo and Moore, dated October 2001



3.3 Environmental Liens and Activity and Use Restrictions

FCDMC was not aware of any environmental clean-up liens filed or recorded against the Property, or of Activity and Use Restrictions, including engineering controls, institutional controls, or land use restrictions that are applicable to the Property.

3.4 Proceedings Involving the Property

FCDMC did not know of any pending, threatened or past litigation or administrative action, or of any notices or other correspondence from any governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products in connection with the Property.

3.5 Commonly Known or Reasonably Ascertainable Information

Commonly known or reasonably ascertainable information about the Property refers to information that is generally known to the public and can easily be sought and found from individuals familiar with the Property or from easily accessible public sources. FCDMC was not familiar with commonly known or reasonably ascertainable information about the Property.

3.6 Specialized Knowledge or Experience

FCDMC did not express any professional or personal experience with the type of property, or with the type of use occurring on the Property, or with the general conditions in the surrounding area, that would raise suspicion about the potential for environmental contamination on the Property.

3.7 Purchase Price to Fair Market Value

FCDMC did not disclose information about the purchase price of the Property. This information is not required to be disclosed according to the All Appropriate Inquiries Rule.

4.0 PROPERTY RECONNAISSANCE

The reconnaissance of the Property and adjoining area were conducted by Adrian Sutter on June 9, 2006. Bobbie Ohler, representing the Property owner, completed a written questionnaire pertaining to the Property. Photographs taken of the Property at the time of the on-site reconnaissance are included in Appendix B.

4.1 Potential PCB Sources

Electrical equipment including transformers, capacitors, and generators, and hydraulic equipment including elevators, are potential sources of PCBs.



Two pole-mounted transformers were near the northwest corner of the Property (Appendix B, Picture 28). Both were labeled non-PCB and belonged to SRP.

4.2 Above Ground Storage Tanks (ASTs)

No ASTs or surface indications of former ASTs were noted during the site visit. According to Ms. Ohler, she has no actual knowledge of past ASTs on the Property.

4.3 Underground Storage Tanks (USTs)

Surface evidence of existing or former USTs includes pump islands, cut-off pipes, fill ports, vent pipes, asphalt patches, vapor extraction wells, groundwater monitoring wells, and remedial systems.

No surface evidence of existing or former USTs was noted during the site visit. According to Ms. Ohler, she has no actual knowledge of past USTs on the Property.

4.4 Hazardous Substances, Petroleum Products, and Unidentified Substance Containers

At the time of the site reconnaissance, WT did not observe the usage, treatment, storage, disposal or generation of hazardous substances or petroleum products in connection with current Property uses. WT did not observe the presence of containers, including drums, pails, bags, bins, silos, or pressurized cylinders, holding hazardous or unknown substances or petroleum products.

According to Ms. Ohler, pesticides have been applied to land adjacent to the Property in the past. Ms. Ohler did not know the application methods, and given the fact that the areas have already been developed, this prior activity does not represent a potential impact to the Property.

4.5 Liquid Waste Indicators

Liquid waste indicators include: stressed vegetation; odors; pools of liquid; stains or corrosion on soil, pavement or other surfaces; water discoloration; sheens; or free floating product.

No surface evidence of the listed liquid waste indicators was noted on the Property during the site visit.



4.6 Solid Waste Indicators

Indications of solid waste disposal include: solid waste collection containers; the presence of debris on the surface; mounding, depressions, or grading caused by non-natural sources; or fill or suspected fill from an unknown source.

Accumulations of residential trash were seen in some areas along the canal where the flow was restricted. These contained non-hazardous refuse and were no more than a few cubic yards at the most.

4.7 Wastewater and Other Liquid Discharges

Wastewater and other liquid discharges include: existing or former surface impoundments; oil/water separators; sumps; catch basins; injection wells; groundwater or wastewater treatment systems; septic systems including tanks, leach fields, and seepage pits; exterior pipe discharges; pits; ponds; and lagoons.

No evidence of the listed wastewater or other liquid discharges was noted on the Property during the site visit.

Ms. Ohler stated that she had no actual knowledge, nor had she been informed of the previous existence of sumps, pits, ponds, lagoons, or other liquid waste disposal features on the Property.

4.8 Air Emissions

Air emissions from a given facility may be indicated by noticeable odors or dust, laboratory hoods, exterior vents, incinerators, bag houses, and cyclones.

No air emissions were noted emanating from the Property during the site visit.

5.0 HISTORIC SITE INFORMATION

The objective of consulting historical sources is to develop a history of obvious uses of the Property back to 1940 or to the first developed use of the Property, whichever is earlier. The available data were reviewed in 5-year intervals when no significant changes in use were identified on the Property. The historical discussion of the Property is limited to the 19-acre detention basin at Southern and 43rd Avenues.

5.1 Interviews

Ms. Ohler, the project manager representing the Property owner FCDMC, completed a written questionnaire pertaining to the Property. Ms. Ohler reported that she has been familiar with the Property for 2 years. Ms. Ohler indicated that a prior Phase I ESA was



conducted for the Property. Ms. Ohler reported that the water in the channel originates from the Western Canal and tail-water from adjoining agricultural areas.

Ms. Diana Stuart of FCDMC reported that the land use is restricted to a floodway floodplan.

5.2 Tax Records

Records obtained from the Maricopa County Treasurer's Office indicate the FCDMC as responsible party for this property. The 2003, 2004 and 2005 Property Tax Summary for Parcel Number (APN) 105-89-939 shows the FCDMC as tax billing address for this property. The summary sheet is included in Appendix E of this report.

5.3 Land Title Records

A chain-of-title report for the Detention Basin was requested from NETR Real Estate Research & Information on May 15, 2006. This report indicated that the Property passed from various private individuals and trust companies beginning in 1918, shown at recordation number 94-0751644, recorded 10-18-94, in the Recorder's Office of Maricopa County. A copy of the NETR report is contained in Appendix D (page 5 of 7, Number 19).

5.4 Local Street Directories

Local Street Directories are annual publications that list the names of telephone service recipients by address. The information contained in Local Street Directories may be useful in determining the type of facility or business that operated at a particular address in a given year.

A total of 14 selected annual volumes with publication dates ranging from 1940 through 2005 were reviewed for listings in the vicinity of 4300 West Southern Avenue. No listings were identified for the Property.

5.5 Building Inspection Records

The City of Phoenix was not contacted for building inspection records. A historical site identified as the "Webster House" is located east of the channel and southeast of the basin near 75th Avenue South of Baseline Road.

5.6 Sanborn Fire Insurance Maps

Sanborn Fire Insurance maps were not reviewed since no development was identified on the Property.



5.7 Topographic Maps and Atlases

Topographic maps were reviewed for evidence of prior land uses or structures on or adjacent to the Property. The 1952 USGS Fowler, Arizona topographic map (1" = 2,000 feet), photorevised 1982, depicted the general area in which the Property is located, but provided no site-specific information to suggest prior structures or Property uses.

The 1978 General Highway Map of Maricopa County depicted the area in which the Property is located, but provided no site-specific information to suggest prior structures or Property uses. The 1958 General Highway Map of Maricopa County depicted one of the runways of the Air-Topia Airport transecting the Property southeast to northwest.

5.8 Aerial Photography

Aerial photographs from the Rupp Aerial Photography, LandisCor Aerial Surveys, and the Maricopa County Assessor's Office, were used evaluate past uses and relevant characteristics of the Property and adjoining sites. Copies of selected aerial photographs are presented in Appendix A. A total of 32 aerial photographs ranging in date from 1949 to 2006 were reviewed.

Review of On Site Conditions

In 1949, the Property was native desert. In all of the images reviewed until 2003, the Property has been native desert with no site occupants or improvements. In 2003, the area was graded and a large detention basin was constructed on the southeast portion of the Property that occupied the majority of the site. Culvert inlets were visible on the east and west sides of the Property and in 2006, a walkway encircled a portion of the basin, and a small structure was visible in the northwest corner of the site.

Review of Off-Site Conditions

In 1949, the areas north and west of the Property were native desert. The area to the east and south appeared cleared, and a landing strip was visible south of the Property. The surrounding area remained in this configuration until the early 1960's, when the area to the south of the Property appeared to have returned to desert, and residences began to appear east of the Property. Between 1977 and 1996 east and south of the Property contained single-family residential structures, north was primarily vacant with a few scattered residences, and west was under agricultural development. In 2004, the area to the west was under construction for single-family residences.

5.9 Other Information Sources

WT was not provided with additional documentation pertaining to the Property.



6.0 ENVIRONMENTAL RECORDS REVIEW

WT obtained an *Environmental FirstSearch™* Site Assessment Report from TRACK Info Services, LLC (TRACK) that included Federal and State regulatory database information from the United States Environmental Protection Agency (USEPA) and the Arizona Department of Environmental Quality (ADEQ). A copy of the TRACK report, which contains descriptions of the databases searched and their release dates, is included in Appendix C.

6.1 Federal USEPA Records Results

The Federal records maintained by the USEPA included: the National Priorities List (NPL); Comprehensive Environmental Response Compensation Liability Information System (CERCLIS) including No Further Remedial Action Planned sites (NFRAP); Resource Conservation Recovery Act (RCRA) Notifiers; RCRA Treatment Storage Disposal Facilities; RCRA Corrective Action Sites; the Facility Index System (FINDS); and Emergency Response Notification System (ERNS).

The Property and sites within the ASTM minimum search distances were not identified in the searched Federal USEPA databases.

6.2 Arizona ADEQ Records Results

The Arizona records maintained by the ADEQ included: the Water Quality Assurance Revolving Fund Registry List, including the Arizona Superfund Program List; Registered Underground Storage Tanks (USTs), Leaking USTs, Landfills, Hazardous Materials Response Incidents; and drywell registrations, RCRA Compliance information, and the historic Arizona CERCLA Information (ACIDs) Database.

The Property was not identified in the searched ADEQ databases.

Coreslab Structures Inc. at 5026 South 43rd Avenue was reported with one Leaking UST. The incident was reported closed with soil levels meeting state standards, and therefore the site does not represent a significant potential impact to the Property.

Three sites were listed in the Leaking UST Program with use restrictions on file. These sites do not represent a potential impact to the Property.

Two spill incidents were reported however, they do not represent a significant potential impact to the Property.

6.3 Additional Records Reviews

The Maricopa County Environmental Services Department (MCESD) was not contacted since no structures were identified on the Property.



The Phoenix Fire Department was not contacted since no structures were identified on the Property.

According to ADWR well registration records, a well was located on the northwest corner of the basin portion of the Property. Registration documents indicated that the owner of the well was FCDMC and that the well was installed in 1998 as a monitoring well and that the same well was abandoned in 2000.

7.0 SUMMARY OF ASSESSMENT

7.1 Findings and Opinions

This section identifies known or suspect environmental conditions which may include Recognized Environmental Conditions, historical recognized environmental conditions, and de minimis conditions, or other environmental conditions and states the opinions of WT regarding the probable impact of the identified known or suspect environmental conditions to the Property.

- The results of the site reconnaissance, record reviews, and interviews did not identify the presence or likely presence of known or suspect environmental conditions on the Property.

7.2 Conclusions

WT has performed a Phase I ESA in conformance with the scope and limitations of ASTM Practice E 1527 of the 19-Acre detention basin at the southeast corner of 43rd and Southern Avenues and LACC, Laveen, Arizona. Any exceptions to or deletions from this practice are described in Section 7.3 of this report.

This assessment has revealed no evidence of recognized environmental conditions currently in connection with the Property, and WT makes no recommendations for further assessment at this time. If additional information becomes available or known that may suggest the presence of recognized environmental conditions currently in connection with the Property, contact this firm for potential recommendations.

7.3 Deviations From ASTM E 1527

The following additions, deletions, and deviations from the ASTM E1527 Standard Practice are incorporated into this project:

- The format of this report has been modified from the suggested report outline contained in ASTM E1527 to conform to company practices and procedures.



8.0 ENVIRONMENTAL PROFESSIONAL'S STATEMENT

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

Ms. Adrian Sutter, also with WT, participated in the preparation of this ESA under the direction of Ms. Aviles. Ms. Sutter conducted the site reconnaissance, interviews, and records reviews under the supervision and responsible charge of Ms. Aviles. The final review of the written report and the formulation of opinions regarding *Recognized Environmental Conditions* were performed by Ms. Aviles. Resumes for these individuals are available from this office upon request.

9.0 LIMITATIONS

The scope of this assessment was limited to those elements and tasks as described in the ASTM Standard Practice E1527. The conclusions presented are based upon observations by qualified personnel and their interpretation of information supplied by others.

The purpose of this assessment was to assess the likelihood of recognized environmental conditions associated with the Property attributable to past and current uses of the Property and sites within the specified study area. Recognized environmental conditions are: 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 and petroleum products even under compliance with laws. The term is not intended to include de minimis conditions that generally do not present a material risk of 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. As a result, this assessment does not highlight the presence of the following conditions unless they were the express concerns of contacted personnel, report and literature authors, or the work scope:

- Naturally occurring toxic and hazardous substances in the subsurface soils, rock, and water.
- Toxicity of substances common in current habitable environments, such as stored household products, building materials, and consumables.
- Contaminants or contaminant concentrations that are not a concern now but may be under future regulatory standards.



No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. The performance of an assessment according to ASTM Practice E1527 is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions in connection with a property, recognizing reasonable limits of time and cost. Therefore, if none are identified as a result of this assessment, such a conclusion should not be construed as a guaranteed absence of recognized environmental conditions.

10.0 REFERENCES

10.1 Contacts

Diana Stuart, FCDMC, Tel: (602)-506-4766; June 7, 2006.

Bobbie Ohler, Project Manager, FCDMC, Tel: (602)-506-1501; June 12, 2006.

10.2 Reports and Publications

Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, ASTM Designation: E 1527 - 05. American Society for Testing and Materials (ASTM); West Conshohocken, Pennsylvania; November 2005.

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FCDMC

WT Job No. 2186JH120

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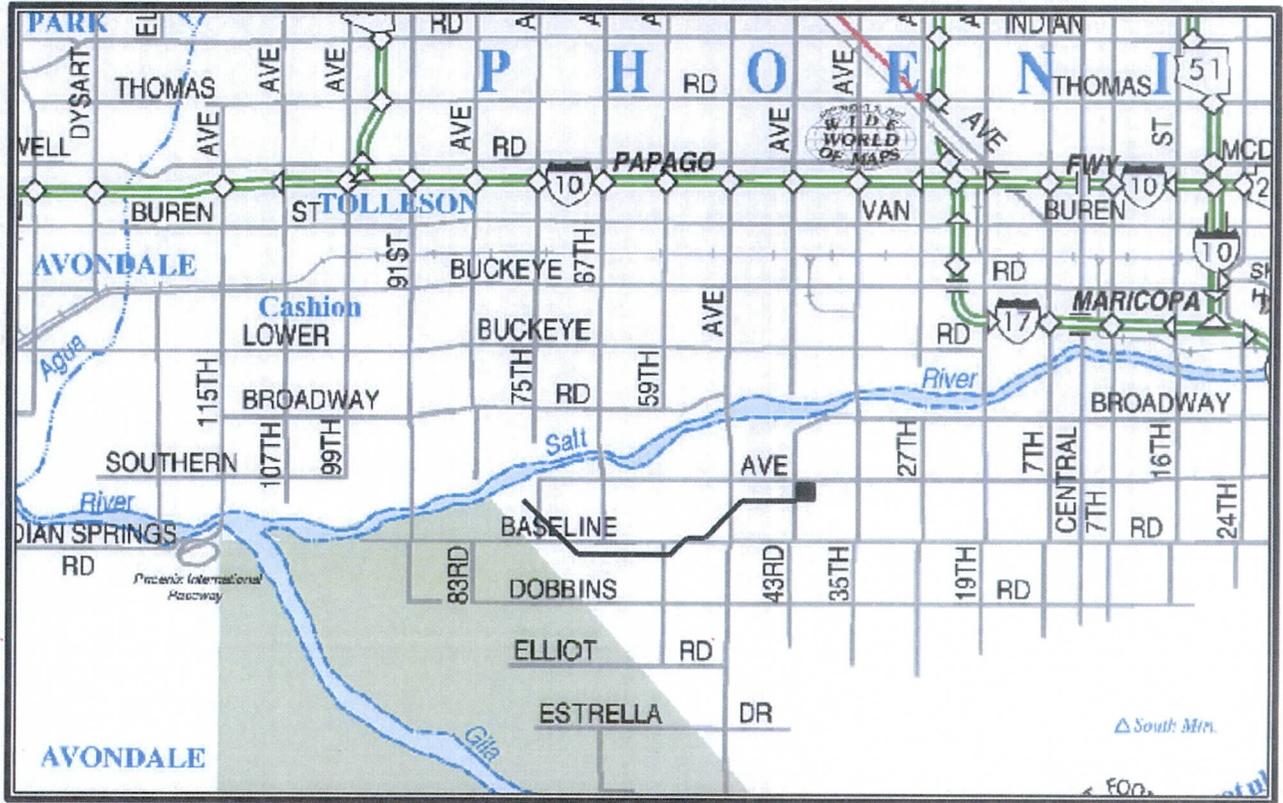
United States Geological Survey, Fowler, Arizona Quadrangle 7.5-Minute Series Topographic Map, 1952, 1982.

General Highway Map of Maricopa County, Arizona Department of Transportation, 1958, 1978.



**APPENDIX A
FIGURES**

Figure 1 – Vicinity Map
 43rd and Southern Avenues and LACC
 Laveen, Arizona



 N	Flood Control District of Maricopa County	
	Phase I Environmental Site Assessment	
	Western Technologies Inc.	
	Job No. 2186JH120	Figure: 1

Not to Scale

Figure 2 – Site Plan
 43rd and Southern Avenues and LACC
 Laveen, Arizona



Legend	
T ²	Pole-mounted Transformer
	Maintenance Drive
	Rip-rap area
	Property Boundary

 Not to Scale	Flood Control District of Maricopa County	
	Phase I Environmental Site Assessment	
	Western Technologies Inc.	
	Job No. 2186JH120	Figure: 2

Figure 3a – Aerial Photograph -2005
43rd and Southern Avenues and LACC
Laveen, Arizona



N



1" = 3767'

Flood Control District of Maricopa County

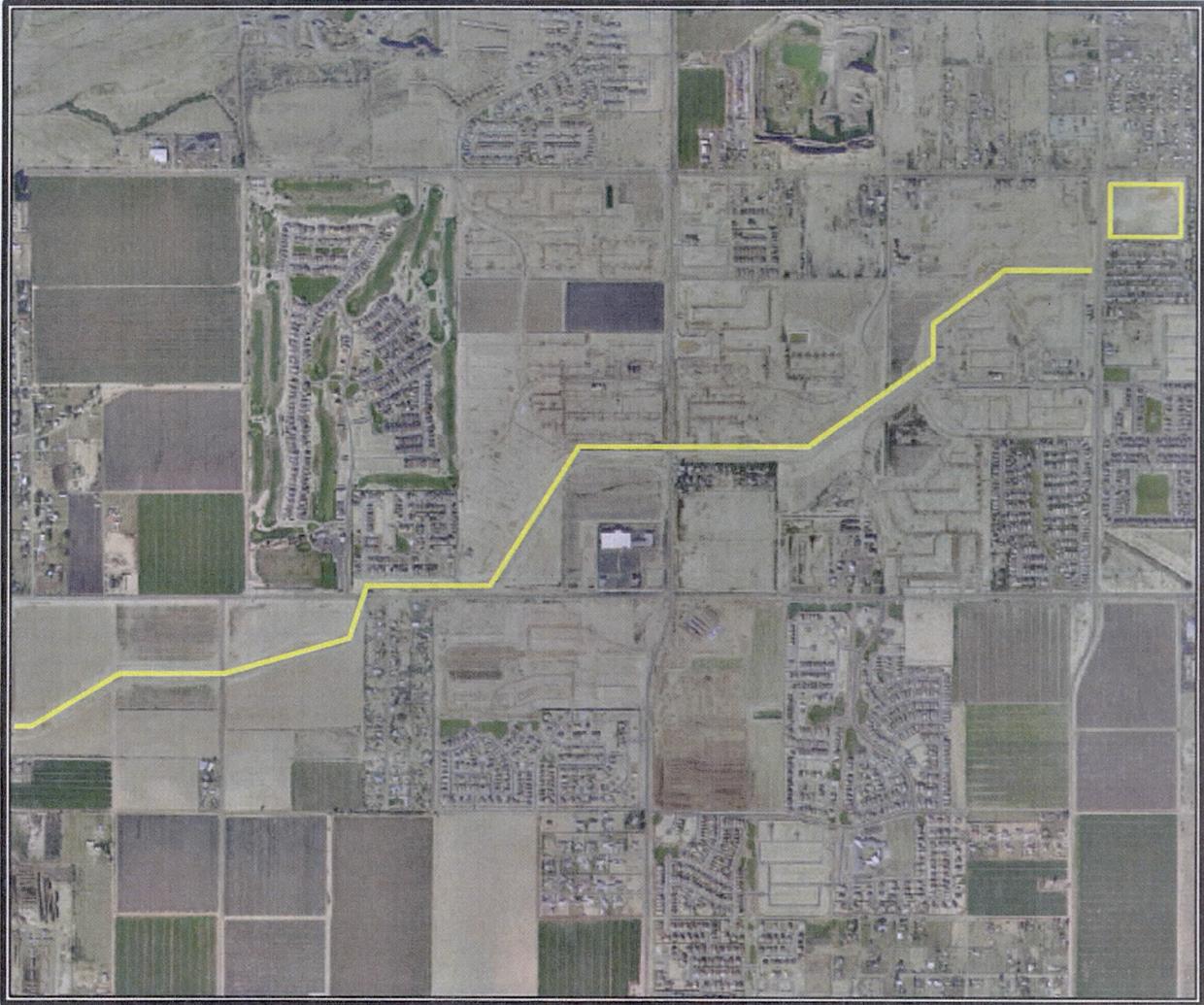
Phase I Environmental Site Assessment

Western Technologies Inc.

Job No. 2186JH120

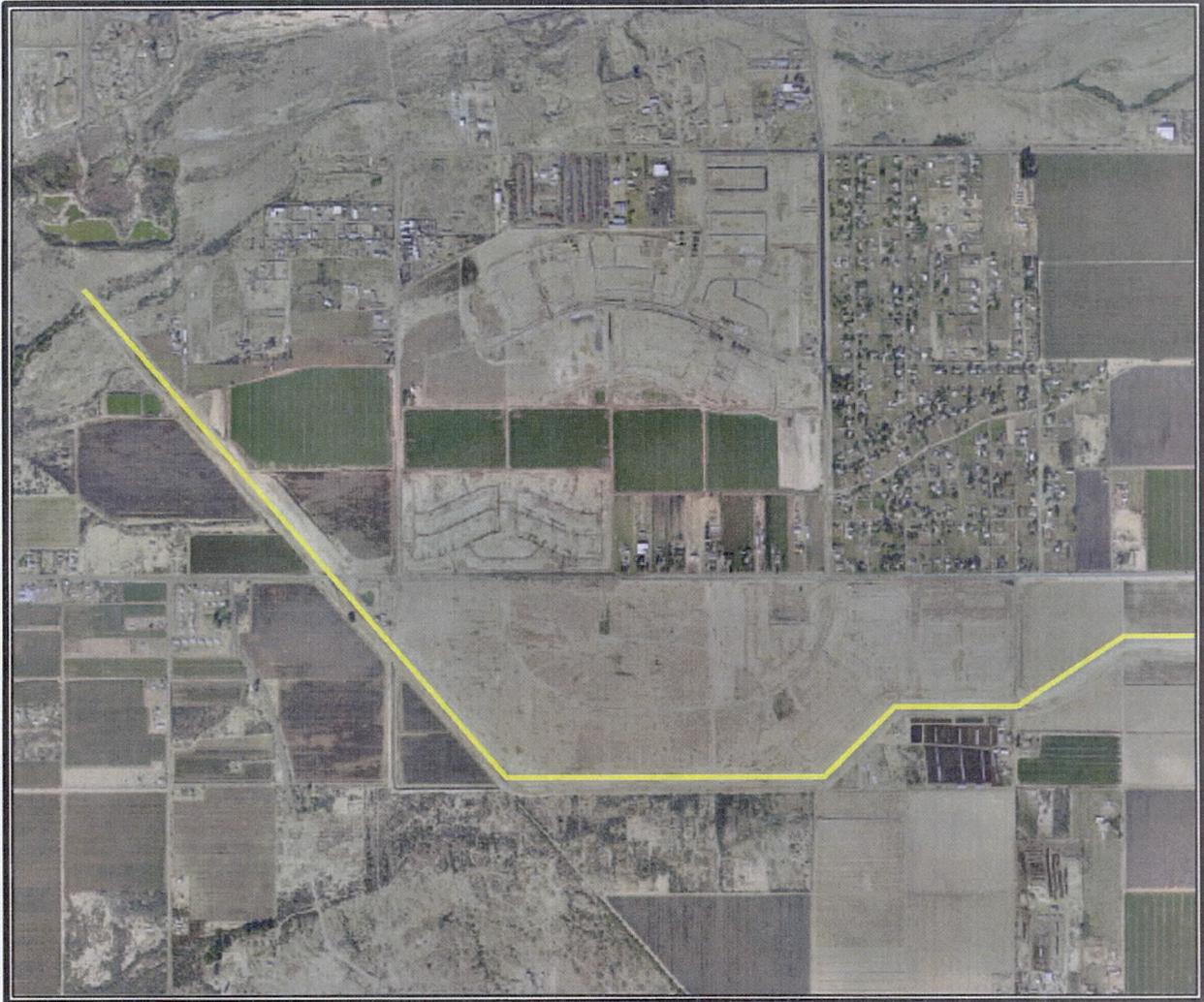
Figure: 3a

Figure 3b – Aerial Photograph -2005
LACC
Laveen, Arizona



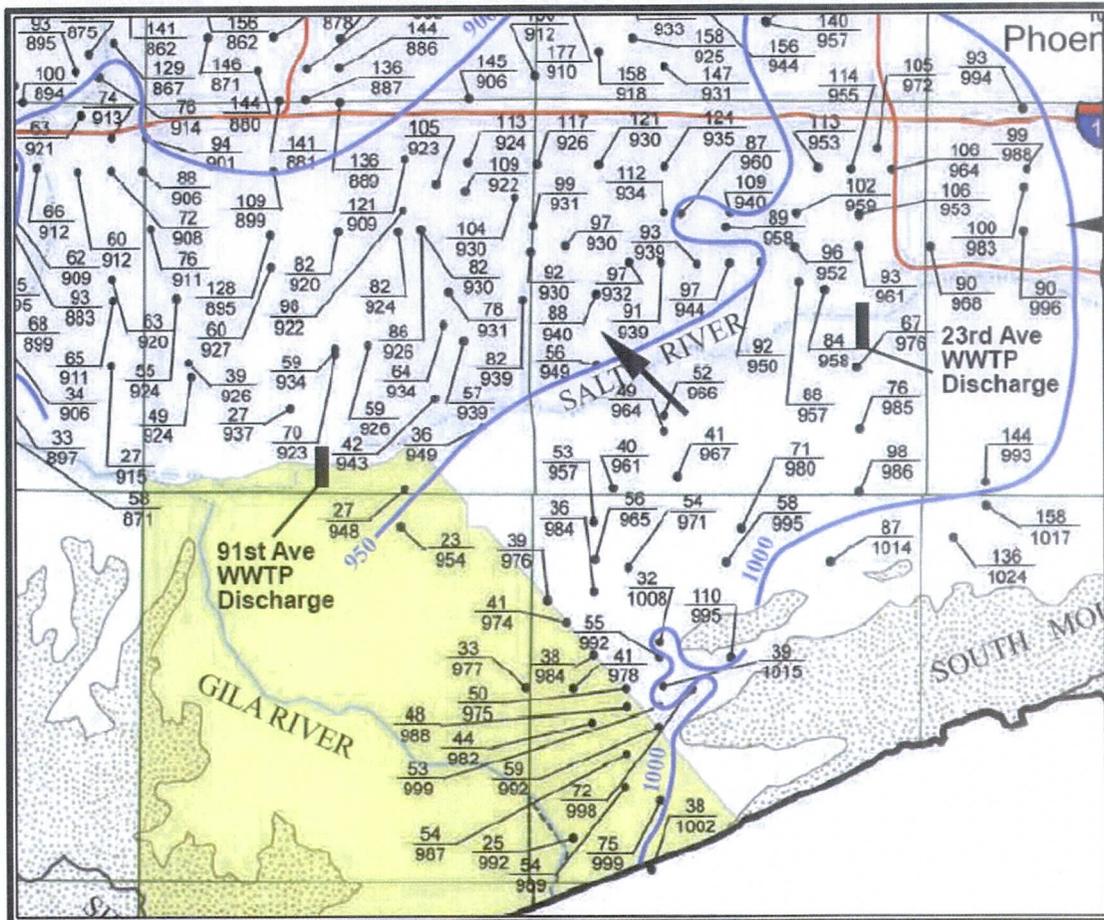
 N	Flood Control District of Maricopa County	
	Phase I Environmental Site Assessment	
	Western Technologies Inc.	
	Job No. 2186JH120	Figure: 3b

Figure 3c – Aerial Photograph -2005
LACC
Laveen, Arizona



  1" = 26060'	Flood Control District of Maricopa County	
	Phase I Environmental Site Assessment	
	Western Technologies Inc.	
	Job No. 2186JH120	Figure: 3c

Figure 4 – Ground Water Levels
 19-Acre Vacant Land Parcel and LACC
 Laveen, Arizona



ADWR Phoenix Report 35, 2005

	Flood Control District of Maricopa County	
	Phase I Environmental Site Assessment	
	Western Technologies Inc.	
	Job No. 2186JH120	Figure: 4

**APPENDIX B
SITE PHOTOGRAPHIC LOG**



Flood Control District of Maricopa County
43rd and Southern Avenues and LACC
Phase I Environmental Site Assessment
WT Job No. 2186JH120



Picture No. 1 - The view across the detention basin toward the north.



Picture No. 2 - The detention basin is landscaped with trees and grass.

Flood Control District of Maricopa County
43rd and Southern Avenues and LACC
Phase I Environmental Site Assessment
WT Job No. 2186JH120



Picture No. 3 - A concrete walking path traverses the basin.



Picture No. 4 - A service road runs around the perimeter of the Property.

Flood Control District of Maricopa County
43rd and Southern Avenues and LACC
Phase I Environmental Site Assessment
WT Job No. 2186JH120



Picture No. 5 - A large box culvert is on the east side of the Property.



Picture No. 6 - The view across the Property toward the west with more culverts in the distance on the west side of the Property.

Flood Control District of Maricopa County
43rd and Southern Avenues and LACC
Phase I Environmental Site Assessment
WT Job No. 2186JH120



Picture No. 7 - A pump on the northwest corner of Southern and 43rd Avenues.



Picture No. 8 - The LACC begins at 43rd Avenue and flows west.

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43rd and Southern Avenues and LACC
Phase I Environmental Site Assessment
WT Job No. 2186JH120



Picture No. 9 - Culverts from adjoining areas empty into the channel.



Picture No. 10 - Concrete spillways empty into the channel.

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43rd and Southern Avenues and LACC
Phase I Environmental Site Assessment
WT Job No. 2186JH120



Picture No. 11 - . The channel goes through box culverts beneath intervening roadways.



Picture No. 12 - The channel is vegetated along both banks.

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43rd and Southern Avenues and LACC
Phase I Environmental Site Assessment
WT Job No. 2186JH120



Picture.No. 13 - The channel is irrigated to support vegetation.



Picture No. 14 - The channel crosses Baseline road for a second time just west of 75th Avenue.

Flood Control District of Maricopa County
43rd and Southern Avenues and LACC
Phase I Environmental Site Assessment
WT Job No. 2186JH120



Picture No. 15 - The channel terminates in a boggy area that drains into the GRIC wetlands.



Picture No. 16 - The boggy area extends several hundred meters beyond the end of the constructed channel.

Flood Control District of Maricopa County
43rd and Southern Avenues and LACC
Phase I Environmental Site Assessment
WT Job No. 2186JH120



Picture No. 17 - North of the detention basin is an area of vacant land.



Picture No. 18 - North of the detention basin are trailers and RVs.

Flood Control District of Maricopa County
43rd and Southern Avenues and LACC
Phase I Environmental Site Assessment
WT Job No. 2186JH120

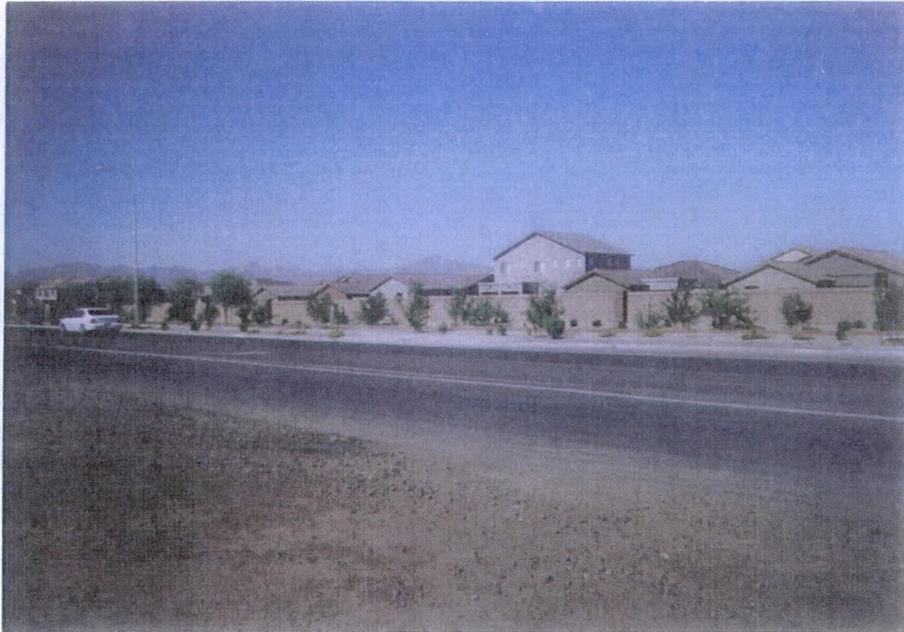


Picture No. 19 - South of the detention basin are single-family residences.



Picture No. 20 - East of the Property are single-family residences.

Flood Control District of Maricopa County
43rd and Southern Avenues and LACC
Phase I Environmental Site Assessment
WT Job No. 2186JH120



Picture No. 21 - West of the detention basin are single-family residences.

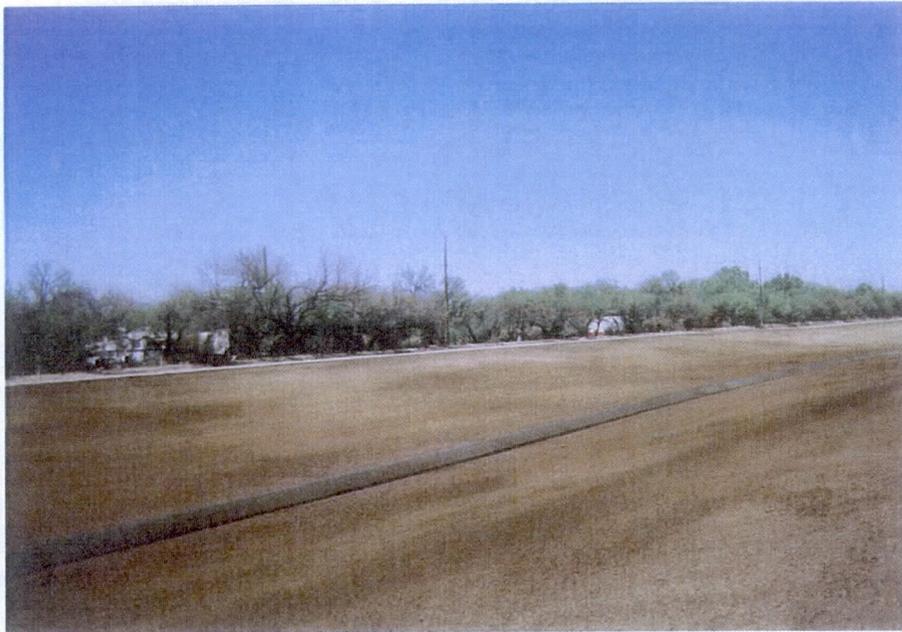


Picture No. 22 - North of the channel is new residential construction.

Flood Control District of Maricopa County
43rd and Southern Avenues and LACC
Phase I Environmental Site Assessment
WT Job No. 2186JH120



Picture No. 23 - South of the portion of the Property south of Baseline is commercial construction.



Picture No. 24 - South of the channel is a wooded area with residential trailers.

Flood Control District of Maricopa County
43rd and Southern Avenues and LACC
Phase I Environmental Site Assessment
WT Job No. 2186JH120



Picture No. 25 - Electric transmission lines run parallel to the west end of the channel.



Picture No. 26 - A historic house (Webster House) on the east side of the channel where it turned north.

Flood Control District of Maricopa County
43rd and Southern Avenues and LACC
Phase I Environmental Site Assessment
WT Job No. 2186JH120



Picture No. 27 - A farm with a large collection of abandoned vehicles and miscellaneous junk is next to the boggy area where the channel terminated.



Picture No. 28 - Two pole-mounted transformers at the detention basin are labeled non-PCB.

**APPENDIX C
ENVIRONMENTAL FIRSTSEARCH™ REPORT**



TRACK ► INFO SERVICES, LLC

Environmental FirstSearch™ Report

TARGET PROPERTY:

SOUTHERN AVE

LAVEEN AZ 85339

Job Number: 2186JH120A

PREPARED FOR:

Western Technologies

3737 E. Broadway Rd

Phoenix, AZ 85040

06-02-06



Tel: (866) 664-9981

Fax: (818) 249-4227

Environmental FirstSearch Search Summary Report

Target Site: SOUTHERN AVE
LAVEEN AZ 85339

FirstSearch Summary

Database	Sel	Updated	Radius	Site	1/8	1/4	1/2	1/2>	ZIP	TOTALS
NPL	Y	04-10-06	1.00	0	0	0	0	0	0	0
CERCLIS	Y	03-08-06	0.50	0	0	0	0	-	0	0
NFRAP	Y	03-08-06	0.50	0	0	0	0	-	0	0
RCRA TSD	Y	02-16-06	0.50	0	0	0	0	-	0	0
RCRA COR	Y	02-16-06	1.00	0	0	0	0	0	0	0
RCRA GEN	Y	02-16-06	0.12	0	0	-	-	-	0	0
RCRA NLR	Y	02-16-06	0.12	0	0	-	-	-	0	0
ERNS	Y	12-31-05	0.05	0	0	-	-	-	0	0
State Sites	Y	08-25-04	1.00	0	0	0	0	0	0	0
Spills-1990	Y	12-11-01	0.05	0	0	-	-	-	0	0
SWL	Y	04-30-05	0.50	0	0	0	0	-	0	0
Permits	Y	09-22-05	0.05	0	0	-	-	-	0	0
Other	Y	11-16-04	0.50	0	0	0	0	-	0	0
REG UST/AST	Y	05-31-05	0.12	0	0	-	-	-	0	0
Leaking UST	Y	05-31-05	0.50	0	0	0	0	-	0	0
Brownfield	Y	03-07-06	0.50	0	1	0	1	-	0	2
- TOTALS -				0	1	0	1	0	0	2

Notice of Disclaimer

Due to the limitations, constraints, inaccuracies and incompleteness of government information and computer mapping data currently available to TRACK Info Services, certain conventions have been utilized in preparing the locations of all federal, state and local agency sites residing in TRACK Info Services's databases. All EPA NPL and state landfill sites are depicted by a rectangle approximating their location and size. The boundaries of the rectangles represent the eastern and western most longitudes; the northern and southern most latitudes. As such, the mapped areas may exceed the actual areas and do not represent the actual boundaries of these properties. All other sites are depicted by a point representing their approximate address location and make no attempt to represent the actual areas of the associated property. Actual boundaries and locations of individual properties can be found in the files residing at the agency responsible for such information.

Waiver of Liability

Although TRACK Info Services uses its best efforts to research the actual location of each site, TRACK Info Services does not and can not warrant the accuracy of these sites with regard to exact location and size. All authorized users of TRACK Info Services's services proceeding are signifying an understanding of TRACK Info Services's searching and mapping conventions, and agree to waive any and all liability claims associated with search and map results showing incomplete and or inaccurate site locations.

**Environmental FirstSearch
Site Information Report**

Request Date: 06-02-06
Requestor Name: Adrian Sutter
Standard: ASTM

Search Type: LINEAR
Job Number: 2186JH120A
Filtered Report

TARGET ADDRESS: SOUTHERN AVE
LAVEEN AZ 85339

Demographics

Sites: 2	Non-Geocoded: 0	Population: NA
Radon: NA		

Site Location

	<u>Degrees (Decimal)</u>	<u>Degrees (Min/Sec)</u>		<u>UTMs</u>
Longitude:	-112.192097	-112:11:32	Easting:	389112.876
Latitude:	33.37955	33:22:46	Northing:	3693807.482
			Zone:	12

Comment

Comment:

Additional Requests/Services

Adjacent ZIP Codes: 0 Mile(s)					Services:		
ZIP Code	City Name	ST	Dist/Dir	Sel		Requested?	Date
					Sanborns	No	
					Aerial Photographs	No	
					Historical Topos	No	
					City Directories	No	
					Title Search	No	
					Municipal Reports	No	
					Online Topos	No	

*Environmental FirstSearch
Sites Summary Report*

TARGET SITE: SOUTHERN AVE
LAVEEN AZ 85339

JOB: 2186JH120A

TOTAL: 2 **GEOCODED:** 2 **NON GEOCODED:** 0 **SELECTED:** 2

<u>Page No.</u>	<u>DB Type</u>	<u>Site Name/ID/Status</u>	<u>Address</u>	<u>Dist/Dir</u>	<u>Map ID</u>
1	BROWNFIELD	TUMBLEWEED SERVICE DEURS971	7145 S 51ST AVE PHOENIX AZ 85339	0.02 SE	2
2	BROWNFIELD	CIRCLE K #851 DEURS2404	3449 W SOUTHERN AVE PHOENIX AZ 85041	0.36 NE	1

Environmental FirstSearch Database Descriptions

NPL: *EPA* NATIONAL PRIORITY LIST - Database of confirmed, proposed or deleted Superfund sites.

CERCLIS: *EPA* COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY INFORMATION SYSTEM - Database of current and potential Superfund sites currently or previously under investigation.

NFRAP: *EPA* COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY INFORMATION SYSTEM ARCHIVED SITES - database of Archive designated CERCLA sites that, to the best of EPA's knowledge, assessment has been completed and has determined no further steps will be taken to list this site on the National Priorities List (NPL). This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site.

RCRA TSD: *EPA* RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM TREATMENT, STORAGE, and DISPOSAL FACILITIES. - Database of facilities licensed to store, treat and dispose of hazardous waste materials.

RCRA COR: *EPA* RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM SITES - Database of RCRA facilities with reported violations and subject to corrective actions.

RCRA GEN: *EPA* RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM SITES - Database of facilities that generate or transport hazardous waste or meet other RCRA requirements. LGN - Large Quantity Generators SGN - Small Quantity Generators VGN - Conditionally Exempt Generator. Included are RAATS (RCRA Administrative Action Tracking System) and CMEL (Compliance Monitoring & Enforcement List) facilities.

RCRA NLR: *EPA* RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM SITES - Database of facilities not currently classified by the EPA but are still included in the RCRIS database. Reasons for non classification: Failure to report in a timely matter. No longer in business. No longer in business at the listed address. No longer generating hazardous waste materials in quantities which require reporting.

ERNS: *EPA/NRC* EMERGENCY RESPONSE NOTIFICATION SYSTEM - Database of emergency response actions. Data since January 2001 has been received from the National Response System database as the EPA no longer maintains this data.

STATE SITES: *AZ DEQ* WQARF REGISTRY LIST & SITE BOUNDARIES - Sites that are currently being addressed by the State's Water Quality Assurance Revolving Fund (WQARF) Program are listed on the WQARF Registry. Sites are represented as polygonal boundary areas as outlined by the Arizona Department of

Environmental Quality. The Program addresses sites that are scored and placed on the Registry, utilizing an approved eligibility and evaluation (E&E) model for evaluating risk and other environmental factors. The information provided includes the E&E score (out of a possible total score of 120), the Site Name, the City and County where the Site is located, and the date the Site was added to the Registry, and other information obtained from the ADEQ Web page. For more information regarding a specific site contact the ADEQ Project Manager or Community Involvement Coordinator identified in the details of the body of this report regarding that specific site titled CONTACTS. Each site may have a different project manager. Note: In order to quickly identify Registry Sites in the Site Summary List of the First Search Reports. The Registry Sites will be labeled SP instead of State, but reside within the record count totals of the State (State) sites. Site Id's are identified as WQARF_REGISTRY_#/WQARF.ARIZONA SUPERFUND PROGRAM LIST- (State Database Type in FirstSearch Reports) The Arizona Superfund Program List contains sites and potential sites within the jurisdiction of the Superfund Programs Section (SPS) since April 1997 (the date of the new Water Quality Assurance Revolving Fund statute). Track Info Services removed duplicate listings from this list and has included only the Potential WQARF Registry Sites that have a Program Status of Pending PI. DOD, NPL and current WQARF Registry Sites are not included in the Arizona Superfund Program List as they are listed in NPL and the State registry List. Site ID's are identified as SUPERFUND_TISID#. Potential WQARF sites that are included in the FirstSearch Reports are those cases which are awaiting or undergoing a WQARF preliminary investigation (PI). Possible outcomes of a PI are: 1) No further investigation or action 2) Registry listing 3) Referral to the ADEQ voluntary remediation program 4) Referral to another ADEQ program. According to the Arizona Department of Environmental Quality (ADEQ), prior to July 5, 2000 the ADEQ Superfund Programs Section (SPS) published a list of sites entitled Arizona CERCLIS Information Data System (ACIDS). The ACIDS list has been replaced as an active list by the Arizona Superfund Program List. It has been archived and will no longer be distributed or updated. Information regarding specific sites on the ADEQ Superfund Program List may be obtained by calling the ADEQ Superfund Information Hotline at (602) 207-4360 or toll free in Arizona at 1 800 234-5677, ext. 4360. Note: ADEQ maintains map boundaries of NPL sites & DOD sites. They may vary from those maintained by the US EPA and respective regions. Information regarding NPL and DOD site boundaries provided by ADEQ utilized in First Search Reports will be included in the State (ST) database category to supplement the US EPA's NPL information in the federal database categories.

SPILLS-1990: *AZ DEQ* HAZARDOUS MATERIALS INCIDENT LOGBOOK-The ADEQ Emergency Response Unit documents chemical spills and incidents, which are referred to the unit.

SWL: *AZ DEQ* SOLID WASTE LANDFILLS- The ADEQ Waste Programs Division Recycling and Data Management Unit maintains a list of solid waste facilities (SWATS) identified as active or closed.

PERMITS: *AZ DEQ* DRY WELLS REGISTRATIONS LIST- The ADEQ Water Quality Division Water Protection Approval and Permits Section maintains a registry of dry wells that have been constructed solely for the disposal of storm water registered under A.R.S. 49-331-336.

OTHER: *AZ DEQ* ZIP ACIDS LIST- Please Note this is no longer a currently active program maintained by the ADEQ, but the Zip Acids List is included in the First Search database for historical reference. The state has established a program under A.R.S. 49-282 to remedy sites, which may have an actual or potential impact upon waters of the State, caused by hazardous substances. The Remedial Projects Section of ADEQ maintains this program. Some remedial projects are governed and funded by the federal CERCLA Superfund program and on the National Priority List. Among the sites in Arizona there are three military bases under the U.S. Dept. of Defense jurisdiction. ADEQ DEURS AND VEMURS PROGRAM LIST- According to the ADEQ a DEUR (Declaration of Environmental Use Restriction) is a restrictive covenant that must be recorded when the owner of a site with known contamination elects to use either institutional or engineering controls to prevent or minimize exposure to contaminants on the property, or when an owner elects to leave contamination on the property that exceeds the applicable residential soil remediation standard for the property. A previous program, known as VEMUR (Voluntary Environmental Mitigation Use Restriction) has been replaced by the DEUR program but VEMUR record dates and associated data are still provided by the ADEQ for historic purposes.

REG UST/AST: *AZ DEQ/EPA* UNDERGROUND STORAGE TANKS- Under State (A.R.S. 49-1001 to 1014) and federal RCRA Subtitle laws, persons who own or have owned underground storage tanks (UST's) which contain regulated substances are required to complete a notification form and submit it to the State. More than 6500 facilities have notified the State of more than 19,000 underground tanks. INDIAN LANDS UST LIST- A listing of underground storage tanks currently on Indian lands under federal jurisdiction. Arizona Indian Lands USTs are administered by US EPA Region 9.

LEAKING UST: *AZ DEQ* LEAKING UNDERGROUND STORAGE TANKS- ADEQ maintains a list of leaking underground tanks (LUST).

OTHER: *EPA* SECTION SEVEN TRACKING SYSTEM (SSTS) – database of registration and production data for facilities which manufacture pesticides. AEROMETRIC INFORMATION RETRIEVAL SYSTEM (AIRS) – database of detailed information pertaining to sites which submit air emissions reports. Developed under the Clean Air Act, this database also maintains data on compliance status and enforcement actions.

BROWNFIELD: *AZ DEQ/EPA* ARIZONA BROWNFIELDS PROGRAM LIST- The ADEQ Waste Programs Division maintains a list of Brownfields sites as part of its Voluntary Remediation Program. To be listed by the ADEQ as a Brownfield a site must meet the following three criteria: it must be an underutilized commercial or industrial site, it must possess redevelopment potential, and that redevelopment potential must be complicated by known or perceived contamination with a hazardous substance as defined by CERCLA. Brownfields Management System (BMS) is an analytical database designed to assist EPA in collecting, tracking, and updating information, as well as reporting on the major activities and accomplishments of the various Brownfield grant Programs.

RADON: *NTIS* NATIONAL RADON DATABASE - EPA radon data from 1990-1991 national radon project collected for a variety of zip codes across the United States.

Environmental FirstSearch Database Sources

NPL: *EPA* Environmental Protection Agency

Updated quarterly

CERCLIS: *EPA* Environmental Protection Agency

Updated quarterly

NFRAP: *EPA* Environmental Protection Agency.

Updated quarterly

RCRA TSD: *EPA* Environmental Protection Agency.

Updated quarterly

RCRA COR: *EPA* Environmental Protection Agency.

Updated quarterly

RCRA GEN: *EPA* Environmental Protection Agency.

Updated quarterly

RCRA NLR: *EPA* Environmental Protection Agency

Updated quarterly

ERNS: *EPA/NRC* Environmental Protection Agency

Updated semi-annually

STATE SITES: *AZ DEQ* ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Updated when available

SPILLS-1990: *AZ DEQ* ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Updated when available

SWL: *AZ DEQ* ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Updated annually

PERMITS: AZ DEQ ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Updated annually

OTHER: AZ DEQ ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

For specific information on the historic ZIP ACIDS List or other site remediation contact the AZ DEQ Remedial Projects Section at (602) 207-4241.

Updated archived/when available

REG UST/AST: AZ DEQ/EPA ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY:

File Room (602) 207-4345.

US EPA Region 9:

Updated annually

LEAKING UST: AZ DEQ ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY:

Updated biannually

OTHER: EPA Environmental Protection Agency

Updated quarterly

BROWNFIELD: AZ DEQ/EPA ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

For further information contact Arcelious Stephens, Brownfields Coordinator at (602) 771-4401.

Updated when available

RADON: NTIS Environmental Protection Agency, National Technical Information Services

Updated periodically

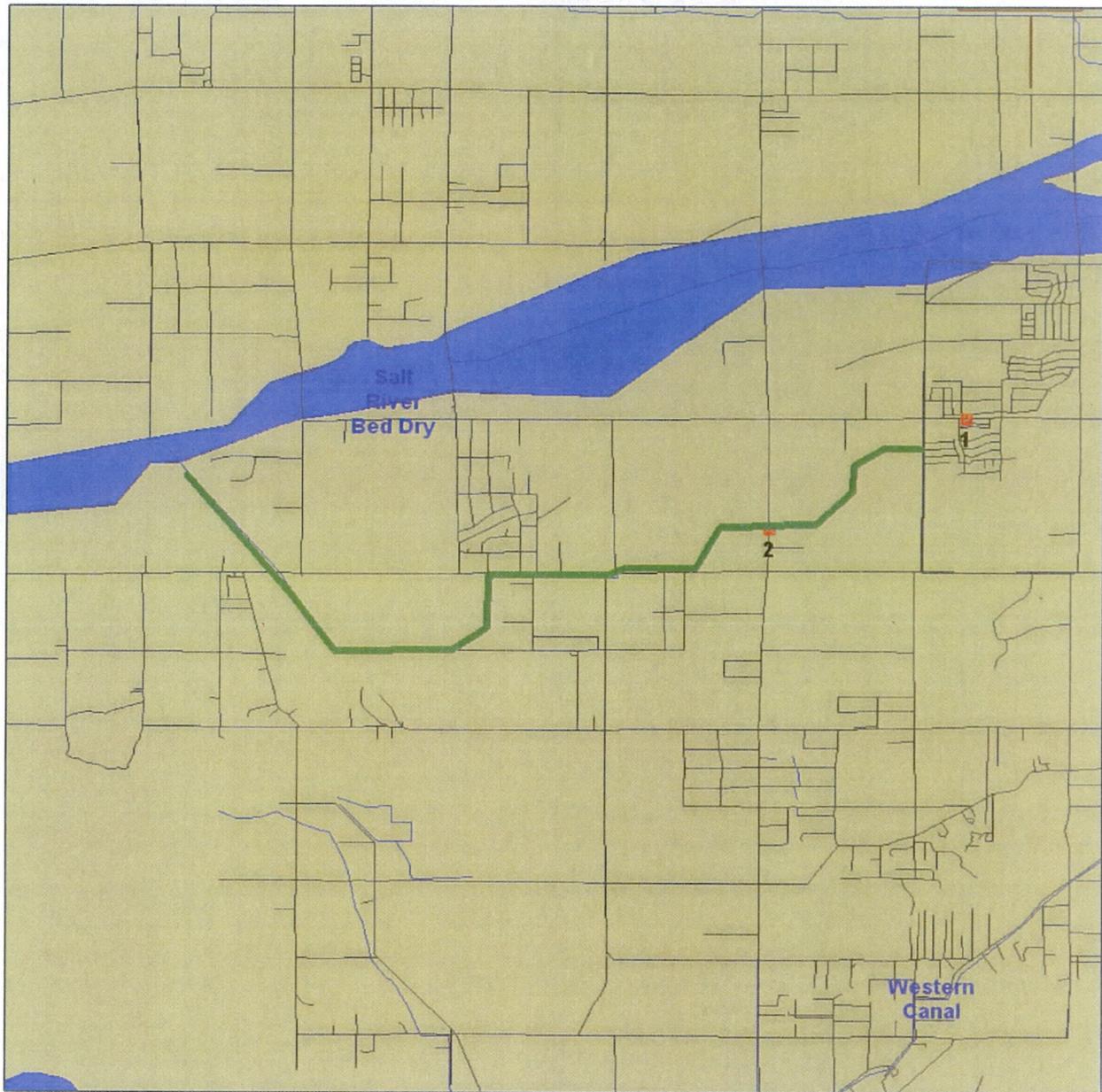


Environmental FirstSearch

1 Mile Radius from Line
Single Map:



SOUTHERN AVE, LAVEEN AZ 85339



Source: U.S. Census TIGER Files

- Linear Search Line 
- Identified Site, Multiple Sites, Receptor   
- NPL, Brownfield, Solid Waste Landfill (SWL) or Hazardous Waste 
- Railroads 

TRACK ► INFO SERVICES, LLC

Environmental FirstSearch™ Report

TARGET PROPERTY:

43rd AVE AND SOUTHERN AVE

LAVEEN AZ 85339

Job Number: 2186JH120

PREPARED FOR:

Western Technologies

3737 E. Broadway Rd

Phoenix, AZ 85040

06-02-06

Environmental
FIRSTSEARCH



Tel: (866) 664-9981

Fax: (818) 249-4227

Environmental FirstSearch Search Summary Report

Target Site: 43rd AVE AND SOUTHERN AVE
LAVEEN AZ 85339

FirstSearch Summary

Database	Sel	Updated	Radius	Site	1/8	1/4	1/2	1/2>	ZIP	TOTALS
NPL	Y	04-10-06	1.00	0	0	0	0	0	0	0
CERCLIS	Y	03-08-06	0.50	0	0	0	0	-	0	0
NFRAP	Y	03-08-06	0.50	0	0	0	0	-	0	0
RCRA TSD	Y	02-16-06	0.50	0	0	0	0	-	0	0
RCRA COR	Y	02-16-06	1.00	0	0	0	0	0	0	0
RCRA GEN	Y	02-16-06	0.12	0	0	-	-	-	0	0
RCRA NLR	Y	02-16-06	0.12	0	0	-	-	-	0	0
ERNS	Y	12-31-05	0.05	0	0	-	-	-	0	0
State Sites	Y	08-25-04	1.00	0	0	0	0	0	0	0
Spills-1990	Y	12-11-01	0.05	0	2	-	-	-	0	2
SWL	Y	04-30-05	0.50	0	0	0	0	-	0	0
Permits	Y	09-22-05	0.05	0	0	-	-	-	0	0
Other	Y	11-16-04	0.50	0	0	0	0	-	0	0
REG UST/AST	Y	05-31-05	0.12	0	0	-	-	-	0	0
Leaking UST	Y	05-31-05	0.50	0	0	0	1	-	0	1
Brownfield	Y	03-07-06	0.50	0	1	0	1	-	0	2
- TOTALS -				0	3	0	2	0	0	5

Notice of Disclaimer

Due to the limitations, constraints, inaccuracies and incompleteness of government information and computer mapping data currently available to TRACK Info Services, certain conventions have been utilized in preparing the locations of all federal, state and local agency sites residing in TRACK Info Services's databases. All EPA NPL and state landfill sites are depicted by a rectangle approximating their location and size. The boundaries of the rectangles represent the eastern and western most longitudes; the northern and southern most latitudes. As such, the mapped areas may exceed the actual areas and do not represent the actual boundaries of these properties. All other sites are depicted by a point representing their approximate address location and make no attempt to represent the actual areas of the associated property. Actual boundaries and locations of individual properties can be found in the files residing at the agency responsible for such information.

Waiver of Liability

Although TRACK Info Services uses its best efforts to research the actual location of each site, TRACK Info Services does not and can not warrant the accuracy of these sites with regard to exact location and size. All authorized users of TRACK Info Services's services proceeding are signifying an understanding of TRACK Info Services's searching and mapping conventions, and agree to waive any and all liability claims associated with search and map results showing incomplete and or inaccurate site locations.

*Environmental FirstSearch
Site Information Report*

Request Date: 06-02-06
Requestor Name: Adrian Sutter
Standard: ASTM

Search Type: AREA
Job Number: 2186JH120
Filtered Report

TARGET ADDRESS: 43rd AVE AND SOUTHERN AVE
 LAVEEN AZ 85339

Demographics

Sites: 5	Non-Geocoded: 0	Population: NA
Radon: NA		

Site Location

	<u>Degrees (Decimal)</u>	<u>Degrees (Min/Sec)</u>	<u>UTMs</u>
Longitude:	-112.149459	-112:8:58	Easting: 393093.187
Latitude:	33.390963	33:23:27	Northing: 3695028.273
			Zone: 12

Comment

Comment:

Additional Requests/Services

Adjacent ZIP Codes: 1 Mile(s)					Services:		
ZIP Code	City Name	ST	Dist/Dir	Sel		Requested?	Date
85041	PHOENIX	AZ	0.00 --	Y	Sanborns	No	
85043	PHOENIX	AZ	0.79 NW	N	Aerial Photographs	No	
					Historical Topos	No	
					City Directories	No	
					Title Search	No	
					Municipal Reports	No	
					Online Topos	No	

Environmental FirstSearch
Sites Summary Report

TARGET SITE: 43rd AVE AND SOUTHERN AVE
LAVEEN AZ 85339

JOB: 2186JH120

TOTAL: 5 **GEOCODED:** 5 **NON GEOCODED:** 0 **SELECTED:** 5

<u>Page No.</u>	<u>DB Type</u>	<u>Site Name/ID/Status</u>	<u>Address</u>	<u>Dist/Dir</u>	<u>Map ID</u>
1	SPILLS	UNKNOWN 99-015-D	6037 S. 41 AVE. PHOENIX AZ	0.04 -E	1
1	SPILLS	UNKNOWN/DEA 97-025-B	4130 W. NANCY LANE PHOENIX AZ 85041	0.05 SE	2
2	BROWNFIELD	CIRCLE K #851 DEURS2404	3449 W SOUTHERN AVE PHOENIX AZ 85041	0.09 -E	4
3	BROWNFIELD	CORESLAB STRUCTURES INC DEURS24873	5026 S 43RD AVE LAVEEN AZ 85339	0.49 NW	3
4	LUST	CORESLAB STRUCTURES INC 0-004737	5026 S 43RD AVE LAVEEN AZ 85339	0.49 NW	3

**Environmental FirstSearch
Site Detail Report**

TARGET SITE: 43rd AVE AND SOUTHERN AVE
LAVEEN AZ 85339

JOB: 2186JH120

STATE SPILLS SITE		
SEARCH ID: 1	DIST/DIR: 0.04 -E	MAP ID: 1
NAME: UNKNOWN ADDRESS: 6037 S. 41 AVE. PHOENIX AZ		REV: 05/19/99 ID1: 99-015-D ID2: STATUS: PHONE:
CONTACT:		
SPILL INCIDENT DATE:	09/02/98	
DATE SPILL REPORTED:	09/02/98	
SPILL RESPONSE DATE:	N/A	
PROPERTY MANAGEMENT TYPE:	City	
REFERRED TO:	N/A	
REFERRAL DATE:	N/A	
SPILL TYPE:	Release	
CHEMICAL MATERIAL OF SPILL:	Containers	
SPILL QUANTITY:	1-5 gals.	

STATE SPILLS SITE		
SEARCH ID: 2	DIST/DIR: 0.05 SE	MAP ID: 2
NAME: UNKNOWN/DEA ADDRESS: 4130 W. NANCY LANE PHOENIX AZ MARICOPA		REV: 05/13/98 ID1: 97-025-B ID2: STATUS: PHONE:
CONTACT:		
SPILL INCIDENT DATE:	03/28/97	
DATE SPILL REPORTED:	03/28/97	
SPILL RESPONSE DATE:	3/28/1997	
PROPERTY MANAGEMENT TYPE:	Private	
REFERRED TO:	N/A	
REFERRAL DATE:	N/A	
SPILL TYPE:	Threat	
CHEMICAL MATERIAL OF SPILL:	Glassware	
SPILL QUANTITY:	Unknown	

*Environmental FirstSearch
Site Detail Report*

TARGET SITE: 43rd AVE AND SOUTHERN AVE
LAVEEN AZ 85339

JOB: 2186JH120

LEAKING UNDERGROUND STORAGE TANKS

SEARCH ID: 3

DIST/DIR: 0.49 NW

MAP ID: 3

NAME: CORESLAB STRUCTURES INC
ADDRESS: 5026 S 43RD AVE
LAVEEN AZ 85339

REV: 04/19/00
ID1: 0-004737

ID2:
STATUS:
PHONE:

CONTACT:

FACILITY ID: 0-004737
LEAK ID: 3515.01
CASE PRIORITY: CLOSED SOIL LEVELS MEET RBCA TIER 1
DATE INCLUDED: 05/11/1994
DATE CLOSED: 01/20/2000
LUST OTHER:

Environmental FirstSearch Database Descriptions

NPL: *EPA* NATIONAL PRIORITY LIST - Database of confirmed, proposed or deleted Superfund sites.

CERCLIS: *EPA* COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY INFORMATION SYSTEM - Database of current and potential Superfund sites currently or previously under investigation.

NFRAP: *EPA* COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY INFORMATION SYSTEM ARCHIVED SITES - database of Archive designated CERCLA sites that, to the best of EPA's knowledge, assessment has been completed and has determined no further steps will be taken to list this site on the National Priorities List (NPL). This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site.

RCRA TSD: *EPA* RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM TREATMENT, STORAGE, and DISPOSAL FACILITIES. - Database of facilities licensed to store, treat and dispose of hazardous waste materials.

RCRA COR: *EPA* RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM SITES - Database of RCRA facilities with reported violations and subject to corrective actions.

RCRA GEN: *EPA* RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM SITES - Database of facilities that generate or transport hazardous waste or meet other RCRA requirements. LGN - Large Quantity Generators SGN - Small Quantity Generators VGN - Conditionally Exempt Generator. Included are RAATS (RCRA Administrative Action Tracking System) and CMEL (Compliance Monitoring & Enforcement List) facilities.

RCRA NLR: *EPA* RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM SITES - Database of facilities not currently classified by the EPA but are still included in the RCRIS database. Reasons for non classification: Failure to report in a timely matter. No longer in business. No longer in business at the listed address. No longer generating hazardous waste materials in quantities which require reporting.

ERNS: *EPA/NRC* EMERGENCY RESPONSE NOTIFICATION SYSTEM - Database of emergency response actions. Data since January 2001 has been received from the National Response System database as the EPA no longer maintains this data.

STATE SITES: *AZ DEQ* WQARF REGISTRY LIST & SITE BOUNDARIES- Sites that are currently being addressed by the State's Water Quality Assurance Revolving Fund (WQARF) Program are listed on the WQARF Registry. Sites are represented as polygonal boundary areas as outlined by the Arizona Department of

Environmental Quality. The Program addresses sites that are scored and placed on the Registry, utilizing an approved eligibility and evaluation (E&E) model for evaluating risk and other environmental factors. The information provided includes the E&E score (out of a possible total score of 120), the Site Name, the City and County where the Site is located, and the date the Site was added to the Registry, and other information obtained from the ADEQ Web page. For more information regarding a specific site contact the ADEQ Project Manager or Community Involvement Coordinator identified in the details of the body of this report regarding that specific site titled CONTACTS. Each site may have a different project manager. Note: In order to quickly identify Registry Sites in the Site Summary List of the First Search Reports. The Registry Sites will be labeled SP instead of State, but reside within the record count totals of the State (State) sites. Site Id's are identified as WQARF_REGISTRY_#/WQARF.ARIZONA SUPERFUND PROGRAM LIST- (State Database Type in FirstSearch Reports) The Arizona Superfund Program List contains sites and potential sites within the jurisdiction of the Superfund Programs Section (SPS) since April 1997 (the date of the new Water Quality Assurance Revolving Fund statute). Track Info Services removed duplicate listings from this list and has included only the Potential WQARF Registry Sites that have a Program Status of Pending PI. DOD, NPL and current WQARF Registry Sites are not included in the Arizona Superfund Program List as they are listed in NPL and the State registry List. Site ID's are identified as SUPERFUND_TISID#. Potential WQARF sites that are included in the FirstSearch Reports are those cases which are awaiting or undergoing a WQARF preliminary investigation (PI). Possible outcomes of a PI are: 1) No further investigation or action 2) Registry listing 3) Referral to the ADEQ voluntary remediation program 4) Referral to another ADEQ program. According to the Arizona Department of Environmental Quality (ADEQ), prior to July 5, 2000 the ADEQ Superfund Programs Section (SPS) published a list of sites entitled Arizona CERCLIS Information Data System (ACIDS). The ACIDS list has been replaced as an active list by the Arizona Superfund Program List. It has been archived and will no longer be distributed or updated. Information regarding specific sites on the ADEQ Superfund Program List may be obtained by calling the ADEQ Superfund Information Hotline at (602) 207-4360 or toll free in Arizona at 1 800 234-5677, ext. 4360. Note: ADEQ maintains map boundaries of NPL sites & DOD sites. They may vary from those maintained by the US EPA and respective regions. Information regarding NPL and DOD site boundaries provided by ADEQ utilized in First Search Reports will be included in the State (ST) database category to supplement the US EPA's NPL information in the federal database categories.

SPIILLS-1990: *AZ DEQ* HAZARDOUS MATERIALS INCIDENT LOGBOOK-The ADEQ Emergency Response Unit documents chemical spills and incidents, which are referred to the unit.

SWL: *AZ DEQ* SOLID WASTE LANDFILLS- The ADEQ Waste Programs Division Recycling and Data Management Unit maintains a list of solid waste facilities (SWATS) identified as active or closed.

PERMITS: *AZ DEQ* DRY WELLS REGISTRATIONS LIST- The ADEQ Water Quality Division Water Protection Approval and Permits Section maintains a registry of dry wells that have been constructed solely for the disposal of storm water registered under A.R.S. 49-331-336.

OTHER: *AZ DEQ* ZIP ACIDS LIST- Please Note this is no longer a currently active program maintained by the ADEQ, but the Zip Acids List is included in the First Search database for historical reference. The state has established a program under A.R.S. 49-282 to remedy sites, which may have an actual or potential impact upon waters of the State, caused by hazardous substances. The Remedial Projects Section of ADEQ maintains this program. Some remedial projects are governed and funded by the federal CERCLA Superfund program and on the National Priority List. Among the sites in Arizona there are three military bases under the U.S. Dept. of Defense jurisdiction. ADEQ DEURS AND VEMURS PROGRAM LIST- According to the ADEQ a DEUR (Declaration of Environmental Use Restriction) is a restrictive covenant that must be recorded when the owner of a site with known contamination elects to use either institutional or engineering controls to prevent or minimize exposure to contaminants on the property, or when an owner elects to leave contamination on the property that exceeds the applicable residential soil remediation standard for the property. A previous program, known as VEMUR (Voluntary Environmental Mitigation Use Restriction) has been replaced by the DEUR program but VEMUR record dates and associated data are still provided by the ADEQ for historic purposes.

REG UST/AST: *AZ DEQ/EPA* UNDERGROUND STORAGE TANKS- Under State (A.R.S. 49-1001 to 1014) and federal RCRA Subtitle laws, persons who own or have owned underground storage tanks (UST's) which contain regulated substances are required to complete a notification form and submit it to the State. More than 6500 facilities have notified the State of more than 19,000 underground tanks. INDIAN LANDS UST LIST- A listing of underground storage tanks currently on Indian lands under federal jurisdiction. Arizona Indian Lands USTs are administered by US EPA Region 9.

LEAKING UST: *AZ DEQ* LEAKING UNDERGROUND STORAGE TANKS- ADEQ maintains a list of leaking underground tanks (LUST).

OTHER: *EPA* SECTION SEVEN TRACKING SYSTEM (SSTS) – database of registration and production data for facilities which manufacture pesticides. AEROMETRIC INFORMATION RETRIEVAL SYSTEM (AIRS) – database of detailed information pertaining to sites which submit air emissions reports. Developed under the Clean Air Act, this database also maintains data on compliance status and enforcement actions.

BROWNFIELD: *AZ DEQ/EPA* ARIZONA BROWNFIELDS PROGRAM LIST- The ADEQ Waste Programs Division maintains a list of Brownfields sites as part of its Voluntary Remediation Program. To be listed by the ADEQ as a Brownfield a site must meet the following three criteria: it must be an underutilized commercial or industrial site, it must possess redevelopment potential, and that redevelopment potential must be complicated by known or perceived contamination with a hazardous substance as defined by CERCLA Brownfields Management System (BMS) is an analytical database designed to assist EPA in collecting, tracking, and updating information, as well as reporting on the major activities and accomplishments of the various Brownfield grant Programs.

RADON: *NTIS* NATIONAL RADON DATABASE - EPA radon data from 1990-1991 national radon project collected for a variety of zip codes across the United States.

Environmental FirstSearch Database Sources

NPL: *EPA* Environmental Protection Agency

Updated quarterly

CERCLIS: *EPA* Environmental Protection Agency

Updated quarterly

NFRAP: *EPA* Environmental Protection Agency.

Updated quarterly

RCRA TSD: *EPA* Environmental Protection Agency.

Updated quarterly

RCRA COR: *EPA* Environmental Protection Agency.

Updated quarterly

RCRA GEN: *EPA* Environmental Protection Agency.

Updated quarterly

RCRA NLR: *EPA* Environmental Protection Agency

Updated quarterly

ERNS: *EPA/NRC* Environmental Protection Agency

Updated semi-annually

STATE SITES: *AZ DEQ* ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Updated when available

SPIILLS-1990: *AZ DEQ* ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Updated when available

SWL: *AZ DEQ* ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Updated annually

PERMITS: *AZ DEQ* ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Updated annually

OTHER: *AZ DEQ* ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

For specific information on the historic ZIP ACIDS List or other site remediation contact the AZ DEQ Remedial Projects Section at (602) 207-4241.

Updated archived/when available

REG UST/AST: *AZ DEQ/EPA* ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY:

File Room (602) 207-4345.

US EPA Region 9:

Updated annually

LEAKING UST: *AZ DEQ* ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY:

Updated biannually

OTHER: *EPA* Environmental Protection Agency

Updated quarterly

BROWNFIELD: *AZ DEQ/EPA* ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

For further information contact Arcelious Stephens, Brownfields Coordinator at (602) 771-4401.

Updated when available

RADON: *NTIS* Environmental Protection Agency, National Technical Information Services

Updated periodically

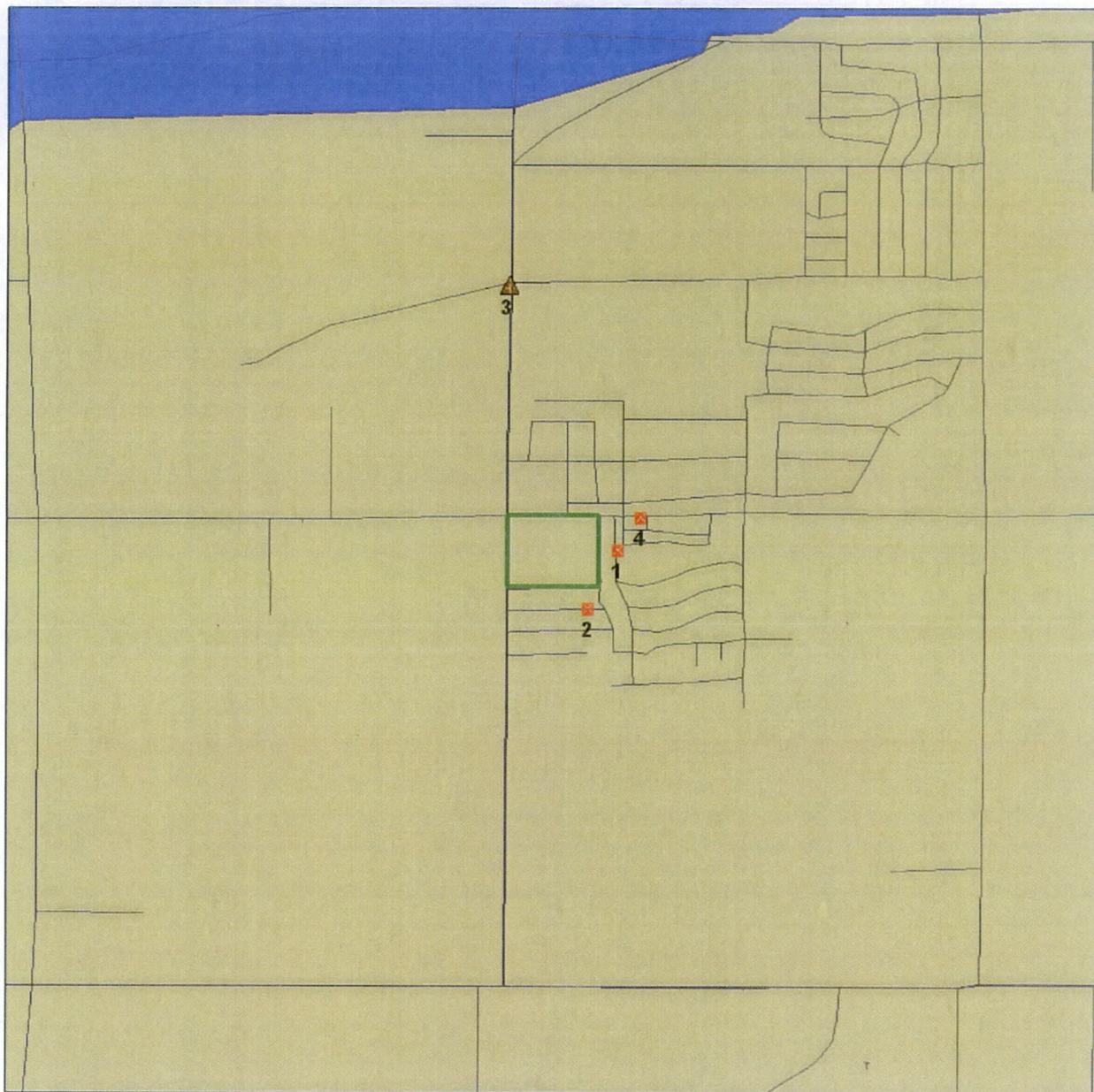


Environmental FirstSearch

1 Mile Radius from Area
Single Map:



43rd AVE AND SOUTHERN AVE, LAVEEN AZ 85339



Source: U.S. Census TIGER Files

- Area Polygon 
- Identified Site, Multiple Sites, Receptor   
- NPL, Brownfield, Solid Waste Landfill (SWL) or Hazardous Waste 
- Railroads 

**APPENDIX D
NETR REPORT**





2055 East Rio Salado Parkway, Suite 201

Tempe, Arizona 85281

Phone: (480) 967-6752

Fax Number: (480) 966-9422

Web Site: www.netronline.com

HISTORICAL CHAIN OF TITLE REPORT

43RD AVE & SOUTHERN AVE
PHOENIX, ARIZONA

Submitted to:

WESTERN TECHNOLOGIES

3737 East Broadway

Phoenix, Arizona 85040

(602) 437-3737

Attention: Adrian Sutter

Project No. N06-2778

Wednesday, May 31, 2006

NETR- Real Estate Research & Information hereby submits the following ASTM historical chain-of-title to the land described below, subject to the leases/miscellaneous shown in Section 2. Title to the estate or interest covered by this report appears to be vested in:

FLOOD CONTROL DISTRICT OF MARICOPA COUNTY, a municipal corporation

The following is the current property legal description:

Lot 1 of the Plat of 43rd Avenue and Southern Avenue Basin, as filed in Book 593, Page 42, situated and lying in the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 1 North, Range 2 East in the City of Phoenix, Maricopa County, State of Arizona.

Assessor's Parcel No: 105-89-939

1. HISTORICAL CHAIN OF TITLE

1. LAND PATENT:
 - RECORDED: 09-24-1918
 - GRANTOR: United States of America
 - GRANTEE: Marshall Humphrey
 - INSTRUMENT: Deed Bk 128, Pg 508

2. DECREE:
 - RECORDED: 04-24-1943
 - GRANTOR: Estate of Marshall Humphrey, deceased
 - GRANTEE: Ruth M. Humphrey, widow
 - INSTRUMENT: Deed Bk 386, Pg 104

3. WARRANTY DEED:
 - RECORDED: (dated) 05-09-1945 and recorded out of order 7-17-1950
 - GRANTOR: Ruth M. Humphrey, a widow
 - GRANTEE: Verne V. Pigott & Gladys Piggott, husband & wife and
Merl W. Morris & Anna Marie Morris, husband & wife
 - INSTRUMENT: Deed Bk 582, Pg 387

4. QUIT CLAIM DEED:
 - RECORDED: 04-10-1950
 - GRANTOR: Verne V. Pigott & Gladys Piggott, husband & wife
 - GRANTEE: Merl W. Morris & Anna Marie Morris, husband & wife
 - INSTRUMENT: Docket 532, Pg 199

5. WARRANTY DEED:
 - RECORDED: 06-14-1961
 - GRANTOR: Merl W. Morris & Anna Marie Morris, husband & wife
 - GRANTEE: Union Title Company, an Arizona Corporation, as
Trustee
 - INSTRUMENT: Docket 3734, Pg 109

6. WARRANTY DEED:
 - RECORDED: 06-14-1961 and 03-22-1962
 - GRANTOR: Union Title Company, an Arizona Corporation, as
Trustee
 - GRANTEE: Merl W. Morris & Anna Marie Morris, husband & wife
 - INSTRUMENT: Docket 3734, Pg 101 and Docket 4074, Pg147

7. WARRANTY DEED:
RECORDED: 05-17-1963
GRANTOR: Merl W. Morris & Anna Marie Morris, husband & wife
GRANTEE: Arizona Title Insurance Company, as Trustee
INSTRUMENT: Docket 4582, Pg 26
8. WARRANTY DEED:
RECORDED: 05-14-1976
GRANTOR: Arizona Title Insurance Company, as Trustee
GRANTEE: Donald D. Myers, husband of Joan Myers, as his sole and separate property, as to 55% interest and Kenneth E Reed & Florence P. Reed, husband & wife, as to 45% interest
INSTRUMENT: Docket 11675, Pg 1266
9. WARRANTY DEED:
RECORDED: 11-25-1980 and re-recorded 10-23-1981
GRANTOR: Kenneth E Reed & Florence P. Reed, husband & wife
GRANTEE: Robert L. Fenwick & Helen L. Fenwick, husband & wife
INSTRUMENT: Docket 14851, Pg 219 and Docket 15597, Pg 868
10. WARRANTY DEED:
RECORDED: 11-25-1980 and re-recorded 10-23-1981
GRANTOR: Robert L. Fenwick & Helen L. Fenwick, husband & wife
GRANTEE: Donald D. Myers Company, an Arizona Corporation
INSTRUMENT: Docket 14851, Pg 224 and Docket 15597, Pg 875
11. QUIT CLAIM DEED:
RECORDED: 05-10-1983
GRANTOR: Joan L. Myers, wife of grantee
GRANTEE: Donald D. Myers
INSTRUMENT: 83-176268
12. WARRANTY DEED:
RECORDED: 05-10-1983
GRANTOR: Donald D. Myers, dealing with his sole and separate property and Donald D. Myers Company, an Arizona Corporation
GRANTEE: Pioneer Trust Company of Arizona, as Trustee under Trust No. 20,622
INSTRUMENT: 83-176269

13. WARRANTY DEED:
RECORDED: 05-10-1983
GRANTOR: Pioneer Trust Company of Arizona, as Trustee under Trust No. 20,622
GRANTEE: Las Casas Development Corporation, an Arizona Corporation
INSTRUMENT: 83-176270
14. WARRANTY DEED:
RECORDED: 05-10-1983
GRANTOR: Las Casas Development Corporation, an Arizona Corporation
GRANTEE: Pioneer Trust Company of Arizona, as Trustee under Trust No. 20,622
INSTRUMENT: 83-176272
15. WARRANTY DEED:
RECORDED: 05-02-1986
GRANTOR: Pioneer Trust Company of Arizona, as Trustee under Trust No. 20,622
GRANTEE: Lilly Megerdichian
INSTRUMENT: 86-219438
16. WARRANTY DEED IN LIEU OF FORECLOSURE OF DEED OF TRUST:
RECORDED: 02-23-1990
GRANTOR: Lilly Megerdichian
GRANTEE: Southwest Savings and Loan Association, a Federal Savings and Loan, formerly known as Southwest Savings and Loan Association, an Arizona Corporation
INSTRUMENT: 90-082990
17. QUIT CLAIM DEED:
RECORDED: 03-27-1992
GRANTOR: Resolution Trust Corporation, as Receiver/Conservator of Southwest Savings and Loan Association
GRANTEE: Joachim Lehmann, husband of Geli Lehmann, as his sole and separate property
INSTRUMENT: 92-158088
18. DISCLAIMER DEED:
RECORDED: 03-27-1992
GRANTOR: Geli Lehmann, wife of grantee
GRANTEE: Joachim Lehmann
INSTRUMENT: 92-158089

19. FINAL ORDER OF CONDEMNATION:

RECORDED: 10-14-1994

GRANTOR: Joachim Lehmann, et al

GRANTEE: Flood Control District of Maricopa County, a municipal
corporation

INSTRUMENT: 94-0751644

2. LEASES AND MISCELLANEOUS

1. No environmental liens, institutional controls or engineering controls were found of record.

3. LIMITATION

This report was prepared for the use of Western Technologies, exclusively. This report is neither a guarantee of title, a commitment to insure, or a policy of title insurance. NETR- Real Estate Research & Information does not guarantee nor include any warranty of any kind whether expressed or implied, about the validity of all information included in this report since this information is retrieved as it is recorded from the various agencies that make it available. The total liability is limited to the fee paid for this report.

APPENDIX E
PROJECT CORRESPONDENCE/COMMUNICATION





Helen Purcell
 Maricopa County Recorder

Friday, July 28, 2006

- Hours & Locations >
- Recorder >
- Elections >
- What's New >
- Support >
- Miscellaneous >

NAME	DOC CODE	REC DATE	REC
FLOOD CONTROL DISTRICT OF MARICOPA COUNTY	CIV DEED	10/18/1994	94-
LEHMANN JOACHIM ETAL RESOLUTION TRUST CORPORATION ETAL			
SOUTHWEST SAVINGS AND LOAN ASSOCIATION FA			

- [Home](#)
- [Site Map](#)
- [Account Login](#)
- [Online Help](#)

Page Number

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- PDF - Select to view all the pages

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[Adobe Acrobat Reader](#) is required to view PDF documents.

When recorded mail to:

Constance Moore
DELIVER TO HELEN PURCELL AND CAMPBELL
3100 S. MOUNTAIN AVENUE 24



OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL

This spa 94-0751644 10/18/94 04:52

TAMM 1 OF 1

CAPTION HEADING: SPL-001 FOC

DO NOT REMOVE

This is part of the official document.

To: Vicky A.

602-470-1341

From:
H. Mierci
07.27.06

JF

FILED
94 OCT 14 AM 11:41

1 GRAHAM & ASSOCIATES, LTD.
2 1300 EAST MISSOURI, SUITE A-101
3 PHOENIX, ARIZONA 85014
4 (602) 234-1432

5 Michael A. Graham (#00 Unofficial Document

6 Attorneys for Plaintiff

7 SUPERIOR COURT OF ARIZONA
8 MARICOPA COUNTY

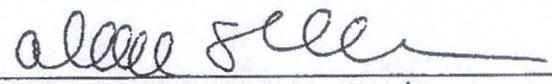
9	FLOOD CONTROL DISTRICT OF)	
10	MARICOPA COUNTY, a municipal)	
11	corporation and a political)	NO. CV 94-07616
12	subdivision of the State of)	
13	Arizona,)	FINAL ORDER OF CONDEMNATION
14	Plaintiff,)	
15	vs.)	(FCD Parcel No. SPL-001)
16	JOACHIM LEHMANN, husband of)	(Assigned to the Honorable
17	Geli Lehmann, as his sole and)	Alan S. Kamin)
18	separate property; THE)	
19	RESOLUTION TRUST CORPORATION,)	
20	AS RECEIVER OF SOUTHWEST)	
21	SAVINGS AND LOAN ASSOCIATION,)	
22	F. A. COUNTY OF MARICOPA;)	
23	UNKNOWN OWNERS AND CLAIMANTS;)	
24	and HEIRS AND DEVISEES OF THE)	
25	ABOVE-NAMED DEFENDANTS, IF)	
26	DECEASED,)	
	Defendants.)	

IT APPEARING to the Court that the Judgment heretofore entered in favor of the Defendant and against the Plaintiff, FLOOD CONTROL DISTRICT OF MARICOPA COUNTY, has been paid and therefore satisfied; and . . .

1 IT FURTHER APPEARING to the Court that pursuant to the
2 provisions of the aforementioned Judgment, this Court may now enter
3 its Final Order of Condemnation.

4 IT IS, THEREFORE, ORD. Unofficial Document AND DECREED, that a fee
5 simple interest in that parcel of real property described on
6 Exhibit "A" attached hereto is hereby vested in the Plaintiff,
7 FLOOD CONTROL DISTRICT OF MARICOPA COUNTY.

8 DONE IN OPEN COURT this 12 day of October, 1994.

9 

10 The Honorable Alan S. Kamin
11 Judge of the Superior Court

12 COPY of the foregoing hand-delivered
13 this 11/4 day of October, 1994, to:

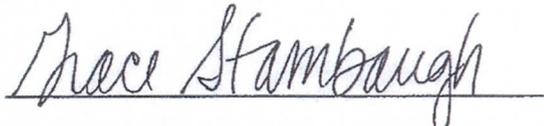
14 The Honorable Alan S. Kamin
15 Judge of the Superior Court
16 201 West Jefferson Street, Suite 10D
17 Phoenix, Arizona 85003

18 COPY of the foregoing mailed this
19 11/4 day of October, 1994, to:

20 Mr. Joachim Lehmann
21 8353 N. 82nd Place
22 Scottsdale, AZ 85258

23 Michelle Conklin
24 Legal Department
25 The Resolution Trust Corporation
26 707 17th St., Suite 3800
Denver, CO 80202

James R. Minter, Esq.
Maricopa County Attorney's Office
301 West Jefferson Street, 9th Floor
Phoenix, Arizona 85003
Attorneys for Defendant County



SOUTH PHOENIX LAVEEN PROJECT
 SPL-2; 105-89-170A (reference)
 City of Phoenix Right of Way
 of Lynne Avenue and 41st Drive

A portion of "Las Casas Grandes" as subdivision of part of the West half of the Northwest quarter (W2 NW4) of Section 34 - T1N, R2E, G&SRB&M, Maricopa County, Arizona as shown in Book 138 of Maps, Page 2 in the Maricopa County Recorder's Office; said portion is described as follows: the road right of way shown as Lynne Avenue extending Easterly from the East line of the West 75' of said Section, identical with the East right of way line of 43rd Avenue, to an intersection with the road right of way shown as 41st Drive. Also, that part of the right of way of said 41st Drive extending Southerly from the South line of the North 55' of said section, identical with the South right of way line of Southern Avenue, to termination at a straight line which extends Easterly from the Southeast corner of said lot 115 to the Southwest corner of said lot 12.

The above described road right of way contains 83,228 square feet or 1.9107 acres more or less.

Flood Control District of Maricopa County, Arizona			SPL-2
PRELIM: 01/10/94	EAD 1-12-94	LAVE 1-2-94	
Rev:	FINAL:		

SOUTH PHOENIX LAVEEN PROJECT
 SPL-1; 105-89-170A
 Joachim Lehmann

A portion of "Las Casas Grandes" a subdivision of part of the West half of tl ^{Unofficial Document} rter (W2 NW4) of Section 34 - T1N, R2E, G&SRB&M, Maricopa County, Arizona as shown in Book 138 of Maps, Page 2 in the Maricopa County Recorder's Office; said portion is described as follows: lots 1 to 12, inclusive and lots 115 to 150, inclusive, and Tracts A, B, and C.

The above described parcels of land contain a total of 728,145 square feet or 16.7159 acres more or less.

Flood Control District of Maricopa County, Arizona			SPL-1
PRELIM: 01/10/94	<i>EQHS</i> 1-12-94	<i>YSA</i> 1-12-94	
Rev:	FINAL:		

The foregoing instrument is a full, true and correct copy of the original on file in this office.

Attest OCT 14 1994 19
 JUDITH ALLEN, Clerk of the Superior Court of the State of Arizona, in and for the County of Maricopa.

By *W. Allen* Deputy

Maricopa County

Treasurer's Office

Tax Bill	Tax Summary	Pay Online!	Valuations	Home
Tax Stub	Address	Activities	Tax Receipt	New Parcel

2005 Property Tax Statement - Parcel 105-89-939 9		
Tax Bill Summary		
2005 Assessed Value	Totals	2005 Tax Amount
\$88,000	Primary (limited)	\$0.00
\$88,000	Secondary (full cash)	\$0.00
	Special Districts	\$0.00
No delinquent prior year taxes	Full Year Amount*	\$0.00
\$0.00	<1st Due each half 2nd>	\$0.00
Area Code: 591300	Total Payments Made	\$0.00

* The Full Year Amount is for the current tax year only. It does NOT include late payment interest charges or delinquent prior year taxes. The statement is for 2005 only. To view the Total Amount Due including interest and penalties [Click Here](#). The first half payment is due 1 Oct 2005, and the second half is due 1 Mar 2006. Please call (602) 506-8511 for any questions concerning the Statement or Amount Due. Include a [Tax Stub](#) with your check.

[Tax History](#) [New Parcel](#) [Treasurer's Home Page](#) [Current Assessed Value](#) [Parcel Map](#)

Property Information		
Legal Description		
Section/Lot	Township/Block	Range/Tract
1		
43RD AVENUE AND SOUTHERN AVENUE BASIN MCR 593-42		
Current Mailing Name & Address		
MARICOPA COUNTY OF FLOOD CONTROL DIST		
2801 W DURANGO ST		
PHOENIX AZ 850096356		

[Request Name/Mailing Address Changes](#)
or call the Treasurer at (602)506-8511.
[Top](#)

2005 Primary (Limited) Assessed Values - Parcel 105-89-939			
Assessment Type	Limited Value	Assessment Ratio	Assessed Value
Land/Bldg/Improvements	\$550,000	16%	\$88,000
Primary Total	\$550,000		\$88,000

2005 Primary (limited) Tax Amounts				
Tax District	Phone	Rate/100	2005 Tax	2004 Tax

Elementary District	602-237-9100	LAVEEN ELEMENTARY		
High School District	602-764-1500	PHOENIX HIGH SCHOOL		
State Aid Credit			\$0.00	\$0.00

[Top](#)

2005 Secondary (Full Cash) Assessed Values - Parcel 105-89-939			
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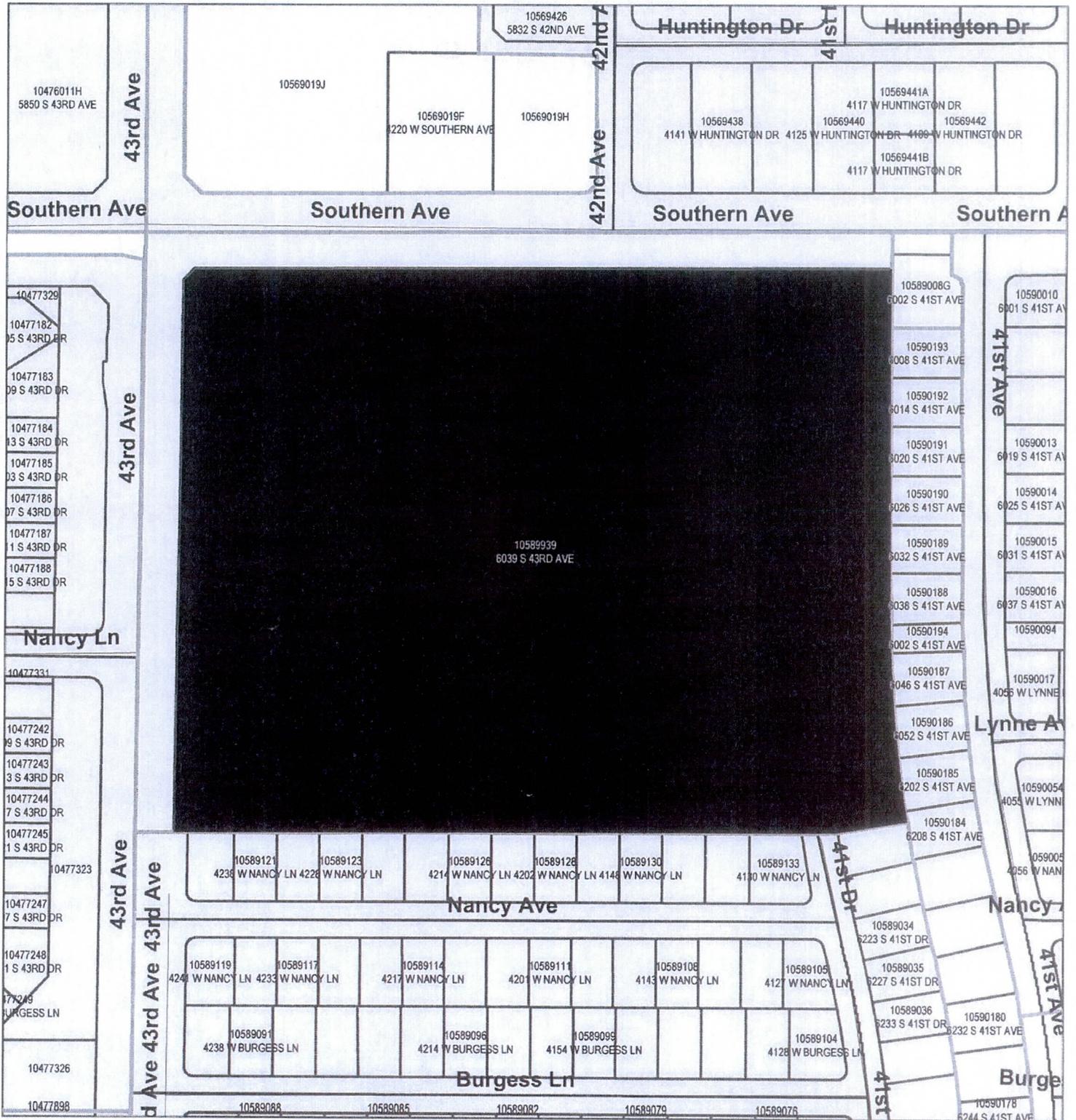
2005 Secondary (Full Cash) Tax Amounts				
Tax District	Phone	Rate/100	2005 Tax	2004 Tax
BONDS				

[Top](#)

No special districts

[Top](#) [New Parcel](#) [Home](#)

County Parcels



Maricopa County Treasurer's Office

[home](#) [site map](#) [contact us](#)

Tax Bill	Tax Summary	Pay Online!	Valuations	Home
Tax Stub	Address	Activities	Tax Receipt	New Parcel

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[Tax History](#) [New Parcel](#) [Treasurer's Home Page](#) [Current Assessed Value](#) [Parcel Map](#)

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Current Mailing Name & Address		
MARICOPA COUNTY OF FLOOD CONTROL DIST		
2801 W DURANGO ST		
PHOENIX AZ 850096356		

[Request Name/Mailing Address Changes](#)
or call the Treasurer at (602)506-8511.
[Top](#)

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[Top](#)

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Tax District	Phone	Rate/100	2005 Tax	2004 Tax
BONDS				

[Top](#)

No special districts

[Top](#) [New Parcel](#) [Home](#)

Maricopa County

Treasurer's Office

Tax Bill	Tax Summary	Pay Online!	Valuations	Home
Tax Stub	Address	Activities	Tax Receipt	New Parcel

2003 Tax Detail - Parcel 105-89-939 9			
Area Code	591300	Assessed Tax	\$0.00
Exemption Status	FULL EXEMPTION	Half Tax	

Amounts Paid		Tax Percentages	
Tax Paid	\$0.00	Primary Tax	0.000%
Interest Paid	\$0.00	Secondary Tax	0.000%
Fees Paid	\$0.00	Flood Tax	0.000%
-----		Special District Tax	0.000%
Total Paid	\$0.00		

Special District Taxes				
District	Name	Percentage	Tax	Tax Paid
No Records				

Maricopa County

Treasurer's Office

Tax Bill	Tax Summary	Pay Online!	Valuations	Home
Tax Stub	Address	Activities	Tax Receipt	New Parcel

2004 Tax Detail - Parcel 105-89-939 9			
Area Code	591300	Assessed Tax	\$0.00
Exemption Status	FULL EXEMPTION	Half Tax	

Amounts Paid		Tax Percentages	
Tax Paid	\$0.00	Primary Tax	0.000%
Interest Paid	\$0.00	Secondary Tax	0.000%
Fees Paid	\$0.00	Flood Tax	0.000%
-----		Special District Tax	0.000%
Total Paid	\$0.00		

Special District Taxes				
District	Name	Percentage	Tax	Tax Paid
No Records				

Maricopa County

Treasurer's Office

Tax Bill	Tax Summary	Pay Online!	Valuations	Home
Tax Stub	Address	Activities	Tax Receipt	New Parcel

2005 Tax Detail - Parcel 105-89-939 9			
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Amounts Paid		Tax Percentages	
Tax Paid	\$0.00	Primary Tax	0.000%
Interest Paid	\$0.00	Secondary Tax	0.000%
Fees Paid	\$0.00	Flood Tax	0.000%
-----		Special District Tax	0.000%
Total Paid	\$0.00		

Special District Taxes				
District	Name	Percentage	Tax	Tax Paid
No Records				

20020539346

-- See Book 593 Map 42

Unofficial Documents

Recorded on: 05/28/2002 at: 11:19 am Page(s) 1

Township 1 N

2002-0539346 05/28/02 11:19
1 OF 1

Range 2 E

LUCERO

Section 34

Lot 43RD AVE AND SOUTHERN

RTY THIRD AVENUE AND SOUTHERN AVENUE B GRANTEE PLAT MAP

SECTION 34 T1N R2E GRANTOR PLAT MAP

**WESTERN TECHNOLOGIES INC.
 PHASE I ENVIRONMENTAL SITE ASSESSMENT
 PROPERTY OWNER KEY SITE MANAGER QUESTIONNAIRE
 WT Job No. 2186JH120**

PROPERTY INFORMATION

Address: _____ City: _____ State: _____
 Parcel Nos: _____ 6712 Ave of Baseline
 Major Cross Streets: 51st Ave Baseline, 43rd Ave of Southern, 75th Ave, Base Line
 Current Occupants: NONE
 Current Activities: DRAINAGE of future ~~human~~ Park

OWNER / OCCUPANT / KEY SITE MANAGER INFORMATION

Name: Flood Control District Years Familiar w/Property: 2
 Business Affiliation: gort agency
 Address: 2801 W. Durango Street City: Phoenix State: AZ
 Tel: 602.506.1501 Fax: 602.506.4601 E-Mail: _____

Relationship to the Property (please check all that apply):

- | <u>Owner</u> | <u>Occupant</u> | <u>Key Site Manager</u> |
|---|--|--|
| <input type="checkbox"/> Individual Owner | <input type="checkbox"/> Owner Occupant | <input type="checkbox"/> Property Manager |
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Sole Occupant | <input type="checkbox"/> Facilities Manager |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Major Occupant | <input type="checkbox"/> Maintenance Director |
| <input type="checkbox"/> Trust/Trustee | <input checked="" type="checkbox"/> <u>NONE</u> | <input type="checkbox"/> Plant Supervisor |
| <input type="checkbox"/> Owner's Broker | <input checked="" type="checkbox"/> <u>Government Agency</u> | <input type="checkbox"/> Leasing Agent |
| | | <input checked="" type="checkbox"/> <u>Project Mgr</u> |

UTILITY INFORMATION

1. Please list the service providers for the following utilities:

Electric: SRP Gas: N/A
 Water: well Sewer: N/A
 Solid Waste: N/A

2. What is the method of heating for buildings on the Property? N/A

3. What is the method of cooling for buildings on the Property? N/A

WESTERN TECHNOLOGIES INC.
PHASE I ENVIRONMENTAL SITE ASSESSMENT
PROPERTY OWNER KEY SITE MANAGER QUESTIONNAIRE
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STORAGE TANKS

4. Y N Unk Are there any aboveground storage tanks (ASTs) currently located on the Property? If yes explain. No ?
5. Y N Unk Are you aware of any past ASTs located on the Property? If yes explain. ?
6. Y N Unk Are there any underground storage tanks (USTs) currently located on the Property? If yes explain. ?
7. Y N Unk Are you aware of any past USTs located on the Property? If yes explain. ?

HAZARDOUS SUBSTANCES, PETROLEUM PRODUCTS, AND CONTAINERS

8. Y N Unk Are there any containers of hazardous chemicals currently stored or used on the Property? If yes explain. _____
9. Y N Unk Are you aware of past uses of hazardous chemicals on the Property? If yes explain. _____
9. Y N Unk Have you observed or are you aware of stained soils on the Property? If yes explain. _____
10. Y N Unk Do you know of any current or previous in-ground hydraulic lifts on the Property? If yes, has hydraulic oil ever been added to the lifts? Are service records available for the lifts? _____
11. Y N Unk Have pesticides ever been mixed, stored, or applied on the Property? If yes, were applications made by hand, by truck, or by aerial spraying? If yes explain. farm fields adjacent to property but application method unknown.

WESTERN TECHNOLOGIES INC.
PHASE I ENVIRONMENTAL SITE ASSESSMENT
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WT Job No. 2186JH120

SOLID WASTE

12. Y N Unk Are you aware of or do you have any prior knowledge of buried debris on the Property or that the Property has been used as a landfill or for other waste handling activities?
If yes explain. _____
13. Y N Unk Do you know if soil from an unknown source, construction debris, demolition debris, or landscaping debris was placed on the Property?
If yes explain. _____
14. Y N Unk Do you know if used tires were ever discarded on the Property?
If yes explain. _____
15. Y N Unk Are you aware of any former stock ponds, wastewater ponds, silage pits, or other excavations that have been filled on the Property?
If yes explain. _____

WASTEWATER AND LIQUID DISCHARGES

16. Y N Unk Are you aware of or do you have any prior knowledge of pits, ponds or lagoons for waste treatment or disposal on the Property?
If yes explain. _____
17. Y N Unk Are you aware of any current or past wastewater interceptors, sand filters, sumps, or clarifiers on the Property?
If yes explain. _____
18. Y N Unk Are there any current or past septic systems located on the Property?
If yes explain. _____

STORMWATER AND DRAINAGE PROVISIONS

19. Y N Unk Are there any dry wells located on the Property? Do you know if they are registered with the state agency? If so, can you provide copies of the registration records? _____

20. Y N Unk Are there any existing or former water wells located on the Property? Were the wells used for irrigation, domestic supply, or monitoring? Are the wells registered with the appropriate water resources agency?
If yes, explain. _____

WESTERN TECHNOLOGIES INC.
 PHASE I ENVIRONMENTAL SITE ASSESSMENT
 PROPERTY OWNER KEY SITE MANAGER QUESTIONNAIRE
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CURRENT/PREVIOUS ENVIRONMENTAL INVESTIGATION OR REGULATORY ACTION

21. Y N Are you aware of any previous environmental inspections, environmental investigations, environmental site assessments, environmental violations, pending law suits or administrative actions, or environmental liens relating to the Property, or to current or past owners, occupants, or facilities which were on the Property?
 If yes, explain. Phase I, soil testing
at one site

AVAILABILITY OF HELPFUL ENVIRONMENTAL DOCUMENTS

22. Do you know of any of the following types of helpful documents about the Property and can you provide copies to WT before the site inspection?

	Yes	No		Yes	No
Prior environmental assessment reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NPDES Permits	<input type="checkbox"/>	<input type="checkbox"/>
Environmental audit reports	<input type="checkbox"/>	<input type="checkbox"/>	Wastewater Permits	<input type="checkbox"/>	<input type="checkbox"/>
Hazardous Waste Generator Notices	<input type="checkbox"/>	<input type="checkbox"/>	Air Emissions Permits	<input type="checkbox"/>	<input type="checkbox"/>
Community Right-To-Know Plan	<input type="checkbox"/>	<input type="checkbox"/>	UST Registrations	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Management Plan	<input type="checkbox"/>	<input type="checkbox"/>	AST Registrations	<input type="checkbox"/>	<input type="checkbox"/>
Hydrogeologic Reports	<input type="checkbox"/>	<input type="checkbox"/>	Material Safety Data Sheets	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Safety Plans	<input type="checkbox"/>	<input type="checkbox"/>
SARA Title III/Form R Reports	<input type="checkbox"/>	<input type="checkbox"/>	Spill Prevention Control/		
Title Records	<input type="checkbox"/>	<input type="checkbox"/>	Countermeasures Plan	<input type="checkbox"/>	<input type="checkbox"/>
Hazardous Waste Manifests	<input type="checkbox"/>	<input type="checkbox"/>	Waste Oil Disposal Records	<input type="checkbox"/>	<input type="checkbox"/>
Water Well Records	<input type="checkbox"/>	<input type="checkbox"/>	Drywell Registration Records	<input type="checkbox"/>	<input type="checkbox"/>

PRIOR SITE USES AND OCCUPANTS

23. Y N Can you identify any prior occupants on the Property? If yes, please list their business names, dates of occupancy, contact person, and contact information, if available: Multiple ownerships. Unable
to provide current contact
information.

24. Y N If you own the Property, can you identify the immediate prior owner or other prior owners? If yes, please list names and contact information, if available: Multiple ownerships. Unable
to provide current contact
information.

WESTERN TECHNOLOGIES INC.
PHASE I ENVIRONMENTAL SITE ASSESSMENT
PROPERTY OWNER KEY SITE MANAGER QUESTIONNAIRE
WT Job No. 2186JH120

ADDITIONAL COMMENTS

25. Please feel free to make any additional comments: _____

SIGNATURE

Printed Name: DIANA STUART
Company/Title: Environmental Program Manager
Signature: Flood Control District of Maricopa County,
Date Completed: 01 June 2006

*STRIPS of LANDS. acquired from many property owners.
approx. 14 different property owners.*

*SEVERAL strips of land acquired from
many property owners. See attached
list. Probably not current.*

ARIZONA DEPARTMENT OF WATER RESOURCES

Hydrology Division

500 North Third Street, Phoenix, Arizona 85004

Telephone (602) 417-2448

Fax (602) 417-2425

April 23, 1998



JANE DEE HULL
Governor

RITA P. PEARSON
Director

Drilling Services
12030 East Riggs Road
Chandler, Arizona 85249

ATTN: Koal C. Hirschi

Re: **Variance for Construction of One Piezometer Well**
Registration Number 55-568216

Dear Mr. Hirschi:

The Arizona Department of Water Resources received your request dated April 22, 1998 for a variance for construction of one piezometer well to be located in Maricopa County. The purpose of this well will be to determine groundwater levels.

The Arizona Department of Water Resources approves this request for the following variance:

- Thermoplastic casing (riser) with a watertight cap may be used in lieu of steel casing (R12-15-811.B.1).

The following *special requirements* are conditions for this variance (R12-15-821.):

- The PVC inner casing (riser) shall comply with ASTM Standard Guide D5092, Section 6.5.
- Well construction shall comply with the "Variance Granted" Notice of Intention to Drill.
- The well shall be abandoned (decommissioned) per A.A.C. R12-15-816.

If you have any questions, please contact James L. Johnson of my staff at (602) 417-2400 ext. # 7268.

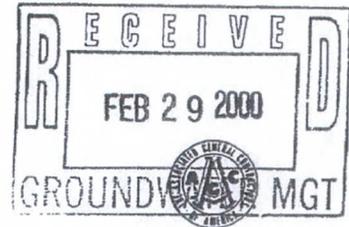
Sincerely,

Greg Wallace
Chief Hydrologist

A

AMES CONSTRUCTION, INC.

3410 E. UNIVERSITY, SUITE 380
PHOENIX, ARIZONA 85034-7224
TELEPHONE: (602) 431-2111
FAX: (602) 431-5952
AZ LIC # 074995-002 CLASS A



February 15, 2000

Arizona Dept. of Water Resources
Ground Management Support Section
PO Box 458, Phoenix, AZ 85001-0458

RE: Monitoring well at SE corner of 43rd Ave. and Southern.

Subject: Request for abandonment variance.

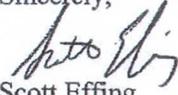
Dear Sir or Madam:

Ames Construction Inc. is constructing a pump station 5' to the Southeast of an existing monitoring well at the Southeast corner of 43rd Ave and Southern. The pump station excavation will be 33' deep. Due to the unstable soil conditions and amount of sloping needed, we would like to remove at least the top 20-25' of the well shaft. We are contracted with the owner of the monitoring well (Maricopa County Flood Control) and have their approval to remove the well shaft.

We would like to know if the standard well abandonment procedures need to be followed for this proposal, or if a variance on certain formalities can be granted. I have talked to several licensed drillers, and they recommend grouting the well to the top, and having a representative of their company witness our removal of the top portion of the well shaft. Please let me know what actions will be needed to remove the monitoring well in a safe and environmentally sound manner.

Thank you for your time,

Sincerely,


Scott Effing
Project Manager

AN EQUAL OPPORTUNITY EMPLOYER

CORPORATE OFFICE: 14420 COUNTY RD. 5 • BURNSVILLE, MN 55337 • (612) 435-7106
OFFICES IN: DENVER, COLORADO • SALT LAKE CITY, UTAH

ARIZONA DEPARTMENT OF WATER RESOURCES
500 North 3rd Street
Phoenix, Arizona 85004

WELL ABANDON COMPLETION REPORT

ARS §45-594; R12-15-816: Within 30 days after a well is abandoned, the well drilling contractor shall file a well Abandonment Completion Report on a form prescribed and furnished by the Director.

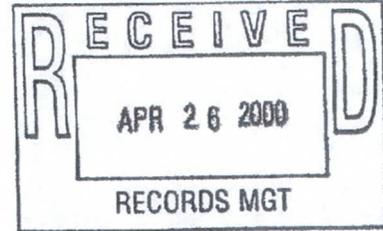
Well Registration No. 55-568216

File No. A(1-2) 34 BBB

1. Drilling firm:

LAYNE CHRISTENSEN COMPANY
12030 EAST RIGGS ROAD
CHANDLER, AZ 85249-3710

License No. 7



2. Well Location: NW/4 NW/4 NW/4 Section 34 Township 1 NORTH Range 2 EAST

3. Owner of the Well:

FLOOD CONTROL DISTRICT OF MARICOPA CTY
2801 W DURANGO ST
PHOENIX, AZ 85009

COMPLETED AUG 21 2000

4. Owner of the Land:

Name Same as Above (owner of well)
Address _____
City/State/Zip _____

5. Well Description: 35 2 PVC.
Hole Depth Diameter Type of Casing

6. Reason for Abandonment:

Unused

7. Prior to abandonment, did the well have 20' of steel surface casing AND 20' of grout in the annular space surrounding the surface casing? Yes X No _____

8. If the answer to No. 6 is no, was the top 20' of casing removed prior to setting the cement plug?
Yes _____ No _____

9. Identify the materials and methods used to abandon the well: Neat Cement Pumped
from bottom to top using TREMIE pipe

10. Is this Abandonment Completion Report filed in accordance with R12-15-816, F.? Yes X No _____

11. How deep does the cement plug extend below land surface? 35

12. Was the well backfilled above the cement plug? Yes _____ No X

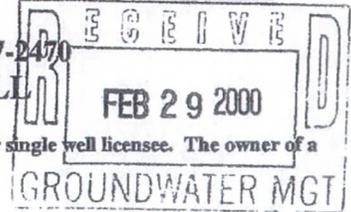
13. Date abandonment completed: 4/6/2000

DATE 4/24/2000 SIGNATURE OF WELL DRILLER Don Sawade

ARIZONA DEPARTMENT OF WATER RESOURCES
GROUNDWATER MANAGEMENT SUPPORT SECTION
P O BOX 458, PHOENIX, ARIZONA 85001-0458
FOR INFORMATION CALL: MONICA ORTIZ AT (602)417-2470
NOTICE OF INTENT TO ABANDON A WELL

NO FEE REQUIRED

NO FEE REQUIRED



A.R.S. § 45-594, R12-15-816: Well abandonment shall be performed only by a licensed well drilling contractor or single well licensee. The owner of a well shall file a Notice of Intent to Abandon the well prior to abandonment.

1. Well Location:
1N 2E 34
 Township Range Section
NW NW NW 1/4
 10 Acre 40 Acre 160 Acre

2. Position Location of the Well on the Land:
 Latitude 33 ° 23 ' 26 " N
 Longitude 112 ° 8 ' 53 " W

3. County: MARICOPA

County Assessor's ID: 105 89 170A
 Book Map Parcel

4. Well Registration Number:

55- 568216

5. Well Owner:
MARICOPA COUNTY FLOOD CONTROL DISTRICT
 Name
2801 WEST DURANGO ST. PHOENIX, AZ 85009
 Current Mailing Address
Phoenix AZ 85009
 City State Zip
602-506-4378
 Telephone

* FOR DEPARTMENT USE ONLY
 File No. A(1-2)34383
 Registration No: 55- 568216
 Filed 3-30 By Gm Mailed 3-15-00 By Gm
AMANA Phx W/S 07 S/B 04
 MO.

6. Owner of the Land:
MARICOPA COUNTY FLOOD CONTROL DISTRICT
 Name
2801 WEST DURANGO ST.
 Current Mailing Address
PHOENIX AZ 85009
 City State Zip
602-506-1501
 Telephone

7. Type of Well being Abandoned:
 (Examples: Domestic, Stock, Irrigation, Municipal, Monitor, Geotechnical, Mineral Exploration, etc.)
 Please state: MONITOR

DESCRIPTION OF WELL TO BE ABANDONED:

8. Well Diameter 2 inches 9. Well Depth 35 feet

10. Type of Casing 2" SCH 40 PVC

11. Abandonment will begin: Month 3 Year 2000 12. Reason for abandonment: NEW CONSTRUCTION

13. Materials and methods to be used to abandon the well: GRAVEL TO FILL WELL - METHOD - AS PER RESPONSE TO ATTACHED VARIANCE REQUEST FROM AMES.

14. To your knowledge, is there any information that exists which indicates that the water in this well may be or is contaminated? Yes No X. If yes, explain on an attached sheet.

15. Licensed Driller performing abandonment: Firm Name: LAYNE ENVIRONMENTAL SERVICES License No. 7
 Address 12030 EAST RIGGS RD. City CHANDLER State AZ Zip 85249

I state that this Notice is filed in compliance with A.R.S. §45-594 and A.A.C. R12-15-816 and is complete and correct to the best of my knowledge and belief.

16. Signature of Well Owner: Warren Rosebrang Date 2/23/00

APPLICATION GUIDELINES

In accordance with Arizona Revised Statutes ("A. R. S.") §§ 41-1008 and 1079, the Department of Water Resources ("Department") provides the following information regarding the application review process.

Necessary Steps and Instructions to Obtain Abandonment Authority

1. Pursuant to Arizona Administrative Code ("A.A.C.") R12-15-816, well abandonment must be performed by a licensed well drilling contractor or single well licensee. (A single well licensee is a person given a license by this Department that allows drilling or modification of a single, exempt well on land owned by that person.)
2. Except as described below, a well drilling contractor or single well licensee may commence abandoning a well only if the driller has possession of an abandonment card at the well site, issued by the Department in the name of the driller, authorizing the abandonment of a specific well or wells in a specific location. Upon approval of the application, the Department will mail an Abandonment Authorization Card to the designated well drilling contractor or single well licensee. To assist you in understanding the substantive requirements for this application, copies of A.R.S. § 45-594 and Arizona Administrative Code ("A.A.C.") R12-15-816 are available at the Department Book Store.
3. Information to complete items 1, 2 and 3 may be available from your county tax receipt, your County Assessor's Office or the Notice of Intent to Drill.
4. Information to complete items 4, 7, 8, 9 and 10 are available from your Notice of Intent to Drill or our Records Division at (602)417-2405.
5. Information to complete items 11, 13 and 15 should be available from your driller.
6. Submit **two original Notices**, each signed by the owner, to P.O. Box 458, Phoenix, Arizona, 85004-0458, or hand deliver to 500 North Street, Phoenix, Arizona. If an individual other than the owner signs these notices, an original, **notarized** letter of authorization from the owner must accompany the Notices. No fee is required to process this application.

Time Frames for Review of Your Application

Within thirty (30) days after receipt of your application, the Department will determine whether your application should be granted or denied, unless this time is extended as described below. In processing your application, the Department will first determine whether the application is administratively complete (administrative completeness review), and then whether the application meets the substantive criteria established by statute or rule (substantive review). Each of these reviews will be completed within the times stated below. The time for the administrative completeness review plus the time for the substantive review is referred to as the overall time frame.

1) Administrative Completeness Review Time Frame

Within fifteen (15) days after receipt of your application, the Department will determine whether your application is complete, and will issue a written notice of administrative completeness or deficiencies. After your application is complete, the Department will proceed with substantive review.

If the Department sends you a letter that your application is incomplete, the Department will include a comprehensive list of specific deficiencies. Until the missing information is received, both the administrative completeness review and the overall time frames will be suspended. When the Department receives the missing information, the administrative completeness review and overall time frames will resume. Your application will not be complete until all of the requested information is received. If you do not supply the missing information within sixty (60) days, the Department may deem your application withdrawn and close the file.

2) Substantive Review Time Frame

Within fifteen (15) days after the application is complete, the Department will review your application to determine whether it meets the substantive criteria required by statute or rule. By mutual written agreement between you and the Department, the time for substantive review may be extended by up to seven days.

During the substantive review, the Department may make one written request for additional information. You may also agree in writing to allow the Department to submit supplemental requests for additional information. If additional information is requested by the Department, both the substantive review and overall time frames will be suspended. When the additional information is received, the substantive review and overall time frames will resume.

At the end of the Department's substantive review, the Department will send you a written notice either granting or denying your application. If your application is denied, the notice will include the justification for the denial and an explanation of your right to appeal the denial.

Construction and Follow Up Requirements

1. Construction standards for abandonment must be in accordance with Department Rules.
2. Within thirty (30) days after abandonment, the well drilling contractor or single well licensee must file a Well Abandonment Completion Report with the Department.
3. The owner or operator of the well must also notify the Department in writing no later than thirty (30) days after abandonment has been completed. The notification should include the well owner's name, location of the well and the method of abandonment.
4. In course of drilling a new well, the well may be abandoned without an abandonment card. However, a Well Abandonment Completion Report must still be filed with the Department.
5. If an unregistered, open well is discovered within thirty (30) days of a change of ownership of real property, the new owner must notify the Department in writing within that thirty day period. This form will serve to register the well when properly abandoned and reported. Thereafter, the existence of any discovered open wells must be reported within ten days after discovery. A.R.S. § 45-593(D).

PHASE I ENVIRONMENTAL SITE ASSESSMENT
USER QUESTIONNAIRE PER ASTM E1527-05
WT Job No. 2186H120

LACC

Western Technologies Inc. requests your assistance to identify and assemble information described by the User Responsibilities criteria of the ASTM standard. The User is defined as a purchaser, potential tenant, owner, lender or property manager, or other party seeking to use the assessment report. For all "Yes" answers, please provide copies, references, or additional information on an attached sheet.

Your Name: DIANA STUART Tel: 602.506.4766
User's Name: Flood Control District of Maricopa County
Property Name: LAVERN COMPLIANCE CHANNEL & BASIN
Property Address: 43rd Ave & Southern City: PHOENIX State: AZ
TD 75th Ave & Baseline

Has a search made you aware of any environmental clean-up liens against the Property that are filed or recorded under federal, tribal, state, or local law? (40 CFR 312.26)

Yes No

Are you aware of any Activity and Use Restrictions, recorded in land title records or in registries or publicly available lists, applicable to the Property, including Engineering Controls, Institutional Controls or Land Use Restrictions, that are applicable to or run with the Property? (40 CFR 312.26(b)(6,7))

Floodway Floodpld

Do you have any specialized knowledge or experience relating to the Property, surrounding areas, or adjoining properties, or with the types of activities and processes conducted at the Property, surrounding areas, or adjoining properties? (40 CFR 312.28)?

Does the purchase price being paid for the Property reasonably reflect the fair market value of the Property? (40 CFR 312.29(a))

If not, have you considered whether the differential in price could be attributed to the presence or possible presence of contamination from hazardous substances or petroleum products? (40 CFR 312.29(b))

N/A

Are you aware of commonly known or reasonably ascertainable information about the Property or surrounding area (e.g. past uses, water quality problems, environmental compliance issues, or permit violations), that might be obtained from current or former owners or operators, local officials, or local members of the public, that might suggest a release or threatened release of hazardous substances or petroleum products on, at, or in the Property? (40 CFR 312.30)

Do you know of any pending, threatened, or past litigation or administrative action relevant to hazardous substances or petroleum products on, in, or from the Property? (ASTM E1527-05, Sec. 10.9)

Do you know of any notices or other correspondence from any governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products? (ASTM E1527-05, Sec. 10.9)

In addition to one of the requirements to satisfy a potential Landowner Liability Protection claim under the Comprehensive Environmental Response, Compensation, and Liability Act, what is your reason for performing this study? (ASTM E1527-05, Sec. 6.7)

Lender's Requirements	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Insurance Requirements	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Planning/Zoning Requirements	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Baseline Review	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other: <u>Transfer of property to another jurisdiction</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Business Operations Planning	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Do you know of any of the following types of helpful documents about the Property and can you provide copies to WT before the site inspection? (ASTM E1527-05, Sec. 10.8)

Environmental site assessment reports	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NPDES Permits	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Environmental compliance audit reports	<input type="checkbox"/>	<input type="checkbox"/>	Wastewater Permits	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Underground Injection Permits	<input type="checkbox"/>	<input type="checkbox"/>	Solid Waste Permits	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous Waste Generator Notices	<input type="checkbox"/>	<input type="checkbox"/>	Air Emissions Permits	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Right-To-Know Plan	<input type="checkbox"/>	<input type="checkbox"/>	UST Registrations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental Management Plan	<input type="checkbox"/>	<input type="checkbox"/>	AST Registrations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hydrogeologic Reports	<input type="checkbox"/>	<input type="checkbox"/>	Material Safety Data Sheets	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Geotechnical Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Safety Plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SARA Title III/Form R Reports	<input type="checkbox"/>	<input type="checkbox"/>	Spill Prevention Control/Countermeasures Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Risk Assessments	<input type="checkbox"/>	<input type="checkbox"/>	Notices of Violations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Chain-of-Title Records	<input type="checkbox"/>	<input type="checkbox"/>	Institutional/Engineering Controls	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Signature: Diana Stuart

Date: 01 June 2006