Florida Gulf Coast University Board of Trustees  
April 19, 2011

SUBJECT: Purchase of Land West and Adjacent to West Lake Village Parcel

---

PROPOSED BOARD ACTION

Approve the purchase of land located west and adjacent to West Lake Village for $5 million due at closing, an additional $1.5 million a year from closing, and another $1.5 million due two years from closing for a total of $8 million.

BACKGROUND INFORMATION

Since the FGCU purchase of College Club, now known as West Lake Village, the university has been having discussions with both the Financing Corporation and the owners of the 24.5 acres of land adjacent and to the west of the West Lake Village property about acquiring the land for future housing expansion. While this land has a density of 400 units or 1,600 beds associated with it, given our style of housing, we believe that if we acquire it, we could build between 1,100 and 1,500 beds; thereby, expanding substantially our housing program. Because it is adjacent to one of our existing housing properties and that we could significantly increase our housing program with its purchase, we recently entered into an option to purchase the property subject to the standard due diligence and Board approvals.

The property was originally offered at $12 million; however, through negotiations, the owners are willing to sell it to the university for $5 million due at closing, an additional $1.5 million a year from closing, and another $1.5 million due two years from closing for a total of $8 million. The needed funds for the purchase would be from the Financing Corporation. The land has been cleared and substantially filled with a price per acre of approximately $327,000. By comparison our recent purchase of the corner land that Miromar sold us was 12 acres for $3.8 million or about $315,000 per acre of undeveloped land. We had
conducted an appraisal last December (prior to our purchase of the Miromar land) which valued the property at $4,080,000.

The property is currently owned by Towne Place/UCA, LLC. At the March 30, 2011 meeting of the FGCU’s Financing Corporation Board of Directors, having favorably completed the due diligence on this property, authorized the purchase of the property subject to the FGCU Board of Trustees’ approval.


Prepared by: Vice President for Administrative Services and Finance Joe Shepard

Legal Review by: General Counsel Vee Leonard (March 30, 2011)

Submitted by: Vice President for Administrative Services and Finance Joe Shepard
REPORT OF
PHASE I ENVIRONMENTAL SITE ASSESSMENT

TOWNE PLACE SITE

COLLEGE CLUB LOOP
FORT MYERS, FLORIDA

Prepared for:

Dr. Joe Shepard
Florida Gulf Coast University Foundation
10501 FGCU Boulevard South
Fort Myers, FL 33965

Prepared by:

STEELE ENVIRONMENTAL CONSULTING, INC.

Sarasota, Florida

March, 2011

SEC Project 11-028
March 24, 2011

Dr. Joe Shepard
Florida Gulf Coast University Foundation
10501 FGCU Boulevard South
Fort Myers, FL 33912

Subject:  Phase I Environmental Site Assessment
Towne Place Site, College Club Loop, Fort Myers, Florida
SEC Project Number 11-028

Dear Dr. Shepard:

Steele Environmental Consulting, Inc. (SEC) has completed a Phase I Environmental Site Assessment (ESA) of the above referenced site located in Lee County, Florida. All work was performed in accordance with the Scope of Work outlined the Professional Services Agreement (PSA) dated March 16, 2011. SEC was authorized to proceed with this Phase I on March 18, 2011.

This Phase I ESA was conducted in accordance with the scope and limitations of American Standards for Testing and Materials (ASTM) Practice E-1527-05, and is in compliance with the EPA's Final All Appropriate Inquiry Standard (November 2006). This report documents the environmental concerns identified on the subject site and addresses the associated risks to the environment. SEC acknowledges the fact that Dr. Shepard is relying on the information contained in this Phase I ESA report to assess the environmental condition of the property, and the scope of work was sufficient in SEC's opinion to uncover potential Recognized Environmental Conditions (RECs) at the property pursuant to the above standard. This ESA report was prepared for and is certified to Florida Gulf Coast University Foundation, Dr. Joe Shepard, and their assigns for their exclusive use. SEC warrants that this Phase I ESA was conducted in accordance with procedures, practices and standards generally accepted and customary in the consultant's profession for use in similar assignments.

In the professional opinion of SEC, an appropriate level of inquiry has been made into the current and previous ownership and uses of the property consistent with good commercial and customary practices in an effort to minimize liability. No evidence of Recognized Environmental Conditions has been identified at the site. No further investigation is deemed necessary at this time (See Executive Summary).

Should you have any questions, please feel free to call us at (941) 355-4395.

Respectfully submitted,

Richard G. Steele, P.G., REPA, CFEA, President,
Registered Environmental Property Assessor Reg. No. 5896

8130 COATES ROW PLACE, UNIVERSITY PARK, FLORIDA 34201
941-355-4395 steele-environmental@live.com
I HEREBY CERTIFY THAT THIS REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS BASED ON SOUND GEOLOGIC PRINCIPALS AND PRACTICES.

SEC CERTIFIES THIS ENVIRONMENTAL ASSESSMENT DATED MARCH, 2011, TO FLORIDA GULF COAST UNIVERSITY FOUNDATION, DR. JOE SHEPARD AND THEIR ASSIGNS. THE ACCURACY, CORRECTNESS AND COMPLETENESS OF THIS ENVIRONMENTAL ASSESSMENT IS PROVIDED WITH THE KNOWLEDGE OF COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION LIABILITY ACT AS SET FORTH IN 42 U.S.C. SECTION 9601 ET SEQ., AS AMENDED (CERCLA). DR. JOE SHEPARD AND THEIR ASSIGNS ARE ENTITLED TO RELY ON THE INFORMATION SET FORTH IN THIS ENVIRONMENTAL ASSESSMENT.

SIGNED,

RICHARD G. STEELE, P.G.
REGISTERED PROFESSIONAL GEOLOGIST
STATE OF FLORIDA
LICENSE NO. 0000151
3/11/2011

DATE

PROJECT NAME: Phase I Environmental Site Assessment
Towne Place Site
College Club Loop
Fort Myers, Florida

PROJECT NUMBER: 11-028
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Photograph 6: View of the interior of the property.
EXECUTIVE SUMMARY

Dr. Joe Shepard of the Florida Gulf Coast University Foundation has engaged Steele Environmental Consulting, Inc. (SEC) to perform a Phase I Environmental Site Assessment for a property located at College Club Loop in Fort Myers, Florida. Under the agreement, SEC has performed the assessment in general accordance with SEC's Proposal 11-028 dated March 16, 2011 and ASTM Standards on Environmental Site Assessments for Commercial Real Estate (ASTM E 1527-05). This Executive Summary presents a summary of findings for the Phase I Environmental Site Assessment. Our assessment included: A review of readily available documents, topographic maps, aerial photographs, city directories, and regulatory lists; an on-site reconnaissance of the site; and an off-site tour of nearby properties. The remainder of this document should be reviewed in its entirety for a more complete discussion of our observations, findings, evaluations and conclusions.

Physical Setting
The Towne Place Site is located near the intersection of Ben Hill Griffin Parkway and College Club Drive in Fort Myers, Lee County, Florida. The property is located adjacent to College Club Loop. The property consists of one vacant parcel. A copy of the legal description is provided in Appendix C. No site improvements were observed at the property (See Photographs 1 and 2).

Historical Review
The site has been vacant and undeveloped since at least 1946. No significant environmental concerns were noted in the historical land uses on the property.

Regulatory Review
The property is not a regulatory listed facility. There were no regulatory listed off-site facilities located within the search radii.

On-Site Concerns
No significant environmental concerns were observed on the property during SEC’s site reconnaissance.

Off-Site Concerns
No adjacent or nearby properties are considered to represent significant environmental concerns to the property.

Conclusions
Based on the results of SEC’s assessment, no significant environmental concern was identified related to the property.

Recommendations
No further environmental assessment is recommended.
1.0 INTRODUCTION

1.1 BACKGROUND
Dr. Joe Shepard of the Florida Gulf Coast University Foundation in Fort Myers, Florida has engaged Steele Environmental Consulting, Inc. (SEC) to perform a Phase I Environmental Site Assessment for a property located at College Club Loop in Fort Myers, Florida. Under the agreement, SEC has performed the assessment in accordance with SEC's Proposal 11-028 dated March 16, 2011 and ASTM Standards on Environmental Site Assessments for Commercial Real Estate (ASTM E 1527-05).

1.2 PURPOSE
The purpose of our services was to identify obvious environmental concerns from practices and activities that have occurred on the site or adjacent sites that could potentially contaminate the site. It was not the purpose of this study to determine the actual presence, degree or extent of contamination, if any, on the site. This would require additional exploratory work, including sampling and laboratory analysis.

1.3 SCOPE OF WORK
The Phase I Environmental Site Assessment is a general characterization of environmental concerns based on readily available information and site observations. This report has been prepared in accordance with SEC's Proposal Number 11-028 dated March 16, 2011 and ASTM designation E1527-05. Our scope of services was based on our understanding of your needs and requirements. Tasks performed for the investigation were as follows:

- A site reconnaissance was made by one of our professionals specializing in environmental projects. Our representative looked for surface indications of past or present hazardous material handling, storage, use or operational activities that may have posed a hazard to the subsurface environment. Photographic documentation of the site was made where applicable. SEC interviewed people with knowledge of the property.

- SEC reviewed federal and state regulatory environmental lists and publications to identify pertinent facilities or locations registered on a regulatory list in the vicinity of the property. The search included information from U.S. EPA and FDEP records of sites located within the ASTM standard search radii from the subject site, and included the subject site.

- SEC performed a vehicular reconnaissance of the surrounding area, not exceeding an approximate one-quarter-mile radius from the subject site, to verify locations of regulatory listed facilities, where possible, and to help assess whether or not the use of adjacent land has a potential environmental impact on the subject site.
• SEC reviewed available aerial photographs, city directories, fire insurance maps, chain-of-title information, soil surveys, and topographic maps to assist in assessing the local hydrogeology and in reviewing past and present land use.

• SEC prepared a written report summarizing our findings and conclusions.

The evaluation of air quality, noise impacts, and the identification or delineation of geological or geotechnical hazards, wetland areas, storm-water features, as they relate to National Pollution Discharge Elimination System (NPDES) regulations, and regulatory aspects related to the American Disabilities Act (ADA) of 1990, endangered or protected plant and animal species, or historical and archaeological sites were beyond the scope of this assessment. The scope of this assessment also did not include detection of the presence of radon gas, asbestos containing material (ACM), lead-based paint, urea formaldehyde, or other potentially hazardous substances in construction materials on site, if any, except as otherwise provided herein. The collection and testing of soil, and/or ground-water samples were beyond the scope of these environmental services. No previous reports or chain-of-title information was provided for our review.

1.4 SIGNIFICANT ASSUMPTIONS
No significant assumptions were made or considered for this report.

1.5 LIMITATIONS AND EXCEPTIONS
This Phase I Environmental Site Assessment presents the results of Steele Environmental Consulting, Inc. (SEC's) initial review of the documents and information provided, and is intended only for use by the above-mentioned client. It was prepared in accordance with an agreement between the client and SEC for consulting services. Should additional documents and information become available, it may be necessary for re-evaluation of our conclusions. The conclusions of this report are based on available data.

Our conclusions regarding the site are based on observations of existing conditions, our interpretation of site history, current available data and site usage. The assessment of a property may require the review of publicly available documents prepared by a third party. SEC makes no warranty as to the accuracy of these documents. No borings, soil or groundwater sampling or chemical testing was conducted specifically for this Phase I Environmental Site Assessment. Therefore, conclusions regarding the conditions of the site do not represent a warranty that all areas are of the same quality as may be inferred from observable site conditions and readily available site history.
This Phase I Assessment is not designed to provide information concerning improvements to the property in particular, the construction materials of building and support facilities. Conclusions drawn from the result of this assessment should recognize the limitations of the methods utilized.

This report is not intended to be taken, in any manner, to include any critique or evaluation of the present land use activities or the structural, mechanical or electrical systems that may be incorporated into the project. It is not intended to be an opinion with respect to any legal relationship or responsibilities as between the architect, the engineers, the contractor, potential purchaser or the owner of the project. While we have reviewed some documents, any statement which we make related thereto is based on our experience as consultants and is not intended to be deemed a legal opinion or conclusion. In making this review and subsequent in-site inspection, SEC does not assume any of the legal responsibilities of the design architects and engineers, or contractors for this project, nor is any other warranty or representation either expressed or implied, included or intended.

1.6 SPECIAL TERMS AND CONDITIONS

No special terms and or conditions are associated with this report.

1.7 USER RELIANCE

This report was prepared for the exclusive use of the Florida Gulf Coast University Foundation, Dr. Joe Shepard and their assigns who can rely on the report contents.
2.0 SITE DESCRIPTION

2.1 LOCATION AND LEGAL DESCRIPTION
The Towne Place Site is located near the intersection of Ben Hill Griffin Parkway and College Club Loop in Fort Myers, Lee County, Florida. The property is located in Section 11, Township 46 South, and Range 25 East in Lee County. The site is adjacent to College Club Loop. The property consists of a 20 acre vacant lot. A copy of the legal description is provided in Appendix C.

No site improvements were observed at the property (See Photographs 1 and 2).

2.2 SITE AND VICINITY GENERAL CHARACTERISTICS
The property is located adjacent to College Club Loop in Fort Myers, Lee County, Florida. The property is located southeast of Fort Myers, near the intersection of Ben Hill Griffin Parkway and College Club Loop. The area is dominated by residential properties and two shopping centers.

2.3 CURRENT USE OF THE PROPERTY
The property is currently vacant.

2.4 DESCRIPTION OF THE STRUCTURES
Not applicable.

2.5 CURRENT USES OF THE ADJOINING PROPERTIES
The property to the north is a shopping center. The property to the east is residential apartments. The site to the south is a golf course and residential homes. The property to the west is I-75 highway and vacant land.
3.0 USER PROVIDED INFORMATION

3.1 TITLE RECORDS

A 50-year Chain-of-Ownership for the property was not requested as part of this Phase I ESA. The lack of a Chain-of-ownership is treated as a Data Gap. The environmental significance of this Data Gap is considered to be minimal and not indicative of a potential release or threatened release.

3.2 ENVIRONMENTAL LIENS OR ACTIVITY AND USE LIMITATIONS

No Environmental Lien information or activity and use limitation information was provided for SEC’s review.

3.3 SPECIALIZED KNOWLEDGE

Pursuant to ASTM E 1527-05, user supplied information in the form of a User Questionnaire, was forwarded to SEC. This questionnaire can be found in Appendix F. The questionnaire did not reveal any issues that would indicate Recognized Environmental Conditions (REC’s).

Prior Assessment Activities
No previous Assessment reports were provided to SEC for this Phase I ESA.

3.4 VALUATION REDUCTION FOR ENVIRONMENTAL ISSUES

The property owner has not disclosed or provided any information regarding the relationship of the purchase price for the property to its fair market value based on the existing contamination issues. SEC feels that based upon the current environmental condition of the property, this should be taken into consideration by the prospective property buyer.

3.5 OWNER, PROPERTY MANAGER AND OCCUPANT INFORMATION

According to the Lee County Property Appraisers office, the current owner is

3.6 REASON FOR PERFORMING PHASE I

According to Dr. Shepard’s office, the reason for performing the Phase I is due to a pending transfer of the property.
4.0 RECORDS REVIEW

4.1 STANDARD ENVIRONMENTAL RECORD SOURCES

SEC reviewed the following available information in order to ascertain the historical uses and regulatory uses of the site and immediately adjacent properties to evaluate the presence of activity of potential environmental concern:

- Lee County Historical Archives Division’s aerial photographs dated 1947 and 1958.

4.1.1 FLORIDA’S POLK CITY DIRECTORIES

SEC reviewed historical Polk City Directories (since 1951) at the Lee County Public Library located in Ft. Myers, Florida. The address listed for the subject site is shown below. The historical research data indicated that the subject site was not traceable to any physical address. This is considered a Data Gap. The environmental significance of this Data Gap is considered to be minimal and not indicative of a potential release or threatened release.

1975: No Listing
1980: No listing
1983: No listing
1988: No listing
1993: No listing
1999: No listing

4.1.2 SANBORN FIRE INSURANCE MAPS

An extensive on-line collection of Sanborn Maps is available through the Florida Public Library System. Sanborn Fire Insurance Maps were used by insurance companies to determine potential fire hazards for specific buildings. This was accomplished by color-coding building construction, labeling automatic sprinkler systems, fire hydrants, and gas tanks as well as facilities that may contain other flammable liquids. This research revealed no Sanborn maps available for the property; this is considered a Data Gap. The environmental significance of this Data Gap is considered to be minimal and not indicative of a potential release or threatened release.
4.2 U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)
SEC conducted a review of regulatory lists published by the state and federal regulatory agencies to determine if the site or nearby properties are listed as having a past or present record of actual or potential environmental impact, or are under investigation for an environmental impact. It should be noted that regulatory listings are limited, and include only those sites that are known to the regulatory agencies at the time of publication to be contaminated, in the process of evaluation, or subject to monitoring for potential contamination. All of the regulatory sites are found on the ASTM Standard Report and Map included in Appendix E, provided by Teknophobic Solutions, of Houston, Texas.

4.2.1 EPA National Priorities Lists (NPL)
The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) established the National Priorities (NPL) of federal "superfund" site. These are contaminated sites that have been assigned a high ranking, in terms of potential public health effects, by the EPA.

- The site does not appear on the NPL database.
- There are no sites located within ½ mile of the subject site on the NPL database.

4.2.2 EPA Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) List
The CERCLIS list identifies suspected contamination sites throughout the nation; however, a facility or site on this list does not necessarily have environmental problems.

- The site does not appear on the CERCLIS database.
- There are no facilities listed on the CERCLIS list within ½ mile radius of the site.

4.2.3 Resource Conservation and Recovery Act (RCRA) TSD List
The EPA's Resource Conservation and Recovery Act (RCRA) Program identifies and tracks hazardous waste from the point of generation to the point of disposal. The RCRA Facilities database is a compilation by the EPA of facilities that report generation, storage, transportation, treatment or disposal of hazardous waste. RCRA TSDs are facilities that treat, store and/or dispose of hazardous waste.

- The property is not listed on the EPA RCRA list for Small Quantity Generators.
- There are no facilities listed on the EPA RCRA TDS database within ½ mile of the site.

The EPA RCRIS and HWDMS lists also identify non-TSD facilities that generate and/or handle hazardous wastes. The appearance of a site on this list does not necessarily indicate environmental problems at the site.

- The property was not on the EPA RCRIS lists for Non-TSD facilities.
- There were no facilities located ½ mile of the property identified on the EPA RCRIS list of Non-TSD facilities.
4.2.4 Emergency Response Notification System (ERNS)
The ERNS list is a national database used to collect information on reported releases of oil and hazardous substances.

- The site does not appear on the ERNS list.
- There were no sites within ½ mile listed on the ERNS database.

4.2.5 RCRA National Oversight Database Handlers with Corrective Action Activity (CORRACTS) List
The CORRACTS list identifies facilities that are currently or at one time were subject to EPA enforcement for activities related to their handling of hazardous wastes and summarizes the results of any action taken by the EPA.

- The property was not on the CORRACTS list.
- There are no facilities located within one mile of the property on the CORRACTS list.

4.2.6 Facilities Index (FINDS) Report
The EPA FINDS Report identifies facilities and/or locations that are subject to regulation under certain EPA programs and serves as an index to the other EPA program office data bases or records. These facilities may not have an environmental problem but may have the potential to impact the environment due to activities related to the handling of hazardous waste.

- The site was not identified on the FINDS Report.
- There were no facilities located within approximately one half mile of the property identified on the FINDS database.

4.2.7 Toxic Release Inventory System (TRIS) List
The EPA TRIS list identifies facilities subject to reporting inventories of specified chemicals per requirements of the Superfund Amendments and Re-authorization Act (SARA) of 1986. These facilities may not have an environmental problem but may have the potential to impact the environment due to activities related to the handling of hazardous waste.

- The property was not on the TRIS list.
- There were no facilities located within ¼ mile of the site identified on the TRIS list.

4.3 FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) LISTS
4.3.1 Florida Sites (SITES) and State Funded Action Sites (SFAS) Lists
The FDEP SITES list identifies facilities that have been identified by the FDEP as having known or suspected environmental contamination. The list has not been updated by the FDEP since 1989. The
Florida SFAS list contains facilities and/or locations that have been identified by the FDEP as having known environmental contamination and are currently being addressed through State funded cleanup action.

- The property was not on the SITES or SFAS lists.
- There were no facilities located within a one-mile radius from the property identified on the SITES or SFAS lists.

### 4.3.2 Solid Waste Facilities (SLDWST) List

The FDEP SLDWST list identifies locations that have been permitted to conduct solid waste landfiling activities or other related waste handling activities. The appearance of a site on this list does not necessarily indicate that an environmental concern exists at the site.

- The property was not on the SLDWST list.
- There were no facilities located within ½ mile of the property identified on the SLDWST list.

### 4.3.3 Petroleum Contamination Tracking System (PCTS) Report

The FDEP PCTS report identifies facilities and/or locations that have notified the FDEP of a possible release of contaminants from petroleum storage systems.

- The property was not on the PCTS report.
- There were no sites located within ½ mile of the property identified on the PCTS report.

### 4.3.4 Stationary Tank Inventory (TANKS) List

The FDEP TANKS list identifies facilities with known registered aboveground and underground petroleum fuel storage tanks. The appearance of a site on this list does not necessarily indicate environmental problems at the site.

- The site does not appear on the TANKS list.
- There were no facilities located within ½ mile identified on the TANKS list.

### 4.4 ADDITIONAL ENVIRONMENTAL RECORDS SOURCES

The environmental records at the Florida Department of Environmental Protection were searched for this report. No files for the property were observed in these files.

### 4.5 PHYSICAL SETTING SOURCE

SEC reviewed the following information regarding the Physical setting of the site and surrounding area:

• Florida Department of Community Affairs (FDCA), Radon Protection Map, Lee County, dated 1995.

4.6 HISTORICAL USE INFORMATION ON THE PROPERTY
The historical use information generated for this report indicates that the property has never been developed.

4.6.1 AERIAL PHOTOGRAPHS

4.7 HISTORICAL USE INFORMATION ON THE ADJOINING PROPERTIES
The review of the Sanborn Fire Insurance Maps, the City Directories and historical aerial photographs show the property and the surrounding area as being vacant from 1966 to the present. Other surrounding land uses in the immediate vicinity of the property include shopping centers, residential apartments, golf course, roads and vacant land. None of these sites are considered to represent significant environmental concerns to the property.
5.0 SITE RECONNAISSANCE

Richard G. Steele, a Certified Florida Environmental Assessor, who is experienced in environmental site assessments, conducted the site and area reconnaissance on March 21, 2011.

5.1 METHODOLOGY AND LIMITING CONDITIONS
The site reconnaissance was performed to determine if there were obvious visual indications of present or past activities that have or could have contaminated the site. The site reconnaissance was conducted on foot. Reference is made to Figure 3, Aerial Photograph. The site inspection and reconnaissance was conducted on March 21, 2011 by Richard G. Steele, Environmental Professional (EP) with SEC. The EP traversed all readily accessible portions of the property. It is important to note that all but an exhaustive investigation might fail to locate buried, covered over or localized surficial events of hazardous materials or wastes on-site that are not reasonably visible or suspected at the ground surface. The client should realize that the property, which in our opinion, did not exhibit evidence that toxic or hazardous wastes were at the ground surface during our site inspection and field work, except as qualified herein, could later be impacted due to natural phenomena, human intervention, on-site pollution sources or contamination due to adjacent properties. These occurrences are beyond our control. SEC assumes that there are no hidden or unapparent environmental conditions of the site, subsoil, groundwater, structures or surroundings which would have an adverse effect on the property whether the source is on-site, adjacent properties, or properties in the nearby surrounding. This purpose of this Phase I ESA was not to provide an operational audit of any businesses at the site, if any, which would determine their compliance with regulatory requirements that may affect them. SEC or its representatives have conducted no off-site tests or evaluations of materials or substances found on the site for the purpose of assessing the presence of environmental Conditions not readily apparent during our visual observations made during the site visit. Information, estimates, and opinions furnished to SEC and its representatives, and contained in this report, were obtained from sources that are considered and assumed to be reliable, and believed to be true and correct. SEC and its representatives assume no responsibility for any inaccuracies in such items that may be revealed as a result of subsequent action, either by SEC or others. These occurrences are beyond our control.

5.2 GENERAL SITE SETTINGS
5.2.1 PHYSIOGRAPHIC AND TOPOGRAPHIC FEATURES
The subject site is located in the Gulf Coastal Lowlands area of Lee County. This is an area of relic back beach ridges left over from the series of regressions and transgressions the area experienced during the recent Pleistocene and Pliocene time frames. Generally, the site soils in the upper 30 to 40 feet of the soil
matrix are a medium grained to fine grained mixture of multi-colored sands, shell layers, and sandy clays. The underlying Hawthorne Group is typically encountered approximately 50 to 60 feet below land surface. The subject site is elevation is approximately 15 feet above mean sea level (MSL). Based on a review of the USGS topographic map for Ft. Myers SE, Florida, the gradient at the subject site is expected to be to the north towards a nearby man-made canal. (see Figure 2, Topographic Survey Map).

5.2.2 SOIL CONDITIONS
According to the Soil Survey of Lee County, the subject site consists primarily of soil described as depressional hydric soils. These sands are nearly level, poorly drained soils that are located on broad Flatwoods with numerous Pine and Malaluka trees. The season high water table is at a depth of 6 to 8 inches, 1 to 3 months of the year, and a depth of 10 inches during 2 to 6 months of the year.

5.2.3 SURFACE-WATER AND STORM-WATER CONDITIONS
A large lake was observed in the western portion of the property.

5.2.4 HYDROGEOLOGIC CONDITIONS
Ground water is a minor source of water in Lee County for residential, agricultural, and industrial use. In Lee County, the Intermediate Aquifer is a minor source of drinking water. The County operates several drinking water wells at the water plant. The surficial deposits in this area of Lee County are composed of quartz sand, silts and clay, approximately 50 feet in thickness and Recent to Pliocene in age. Depth to groundwater in the surficial deposit is approximately 6 to 7 feet below land surface. Underlying the surficial deposits is a residual clay, which is thin to absent. The carbonates comprising the Upper Floridan aquifer are Miocene to Eocene in age and exceed 1,000 feet in thickness. The Upper Floridan aquifer is considered to be semi-confined to unconfined in the vicinity of the property.

No direct observations or measurements of ground-water conditions were made at the subject site as part of this assessment. It is anticipated that the surficial aquifer system has a gradient generally resembling the local topography. Based on the local topographic gradient, the ground-water flow direction in the Surficial aquifer, is estimated to be to the southwest. The regional ground-water flow in the Floridan aquifer is reported to be to the northeast, towards Charlotte County.

In the area of the property, facilities to the east are considered upgradient, areas to the west are considered to be downgradient, and areas to the north and south are considered crossgradient.

5.2.5 RADON POTENTIAL
SEC reviewed a copy of the “Radon Protection Map: Lee County”. The radon survey conducted by the Florida Radon Research Group was performed on a county-by-county basis. The maps were developed from calculated soil radon protection potentials of nearly 4,000 different regions of Florida to identify where passive and active radon protection maybe needed and where present construction practices are adequate. The property is mapped in an area classified as Radon Controls Generally Unnecessary (less than five percent of the area exceeds 4 picoCuries per liter).

5.3 EXTERIOR OBSERVATION
The exterior portion of the property was observed and consists of lakes, trees and open land (wet). No cracks or staining were visible in the area around the site.

5.3.1 UNDERGROUND/ABOVEGROUND STORAGE TANKS
Vent lines, pump dispensers and/or ancillary equipment generally associated with petroleum USTs were not observed within the property limits during the site inspection.

5.3.2 CHEMICALS AND HAZARDOUS MATERIALS
No chemicals and/or hazardous materials were observed on the property during SEC’s site reconnaissance. There were no areas of stained soil or stressed vegetation indicating that hazardous materials had been spilled or discarded on the site.

5.3.3 HAZARDOUS AND SOLID WASTES
No solid waste was observed at the property.

5.3.4 PCB ELECTRICAL TRANSFORMERS
Electrical transformers are a potential source of environmental concern due to the potential presence of polychlorinated biphenyl (PCB) containing cooling oils used in some units. No power transformers were observed at the property. The mineral oils used in transformers may contain polychlorinated biphenyls (PCB's) that are hazardous substances. Evidence of PCB contamination from a transformer can be found in streaks or leakage of mineral oil from the device. The Area Environmental Coordinator for Florida Power and Light (FPL) has mentioned that since 1980, stickers have been placed on transformers to indicate whether the device contains PCB's. If further assurance regarding PCB's is desired, the Area Coordinator indicated that FPL can test for PCB's in suspected transformers at the cost of labor and lab expenses. No evidence of streaks or stains was observed on or around the transformer units.

5.3.5 WATER SUPPLY AND WELLS
Water to the property is provided by the Fort Myers Utilities Department.

5.3.6 WASTEWATER
Sanitary sewer service for the property is provided by the Fort Myers Utilities Department.

5.3.7 WETLANDS/LOWLANDS/CONSERVATION AREAS
No lowlands or conservation areas were noted on the property during the site visit.

5.3.8 STORM WATER
Storm water on the property runs by sheet flow into a canal near the site.

5.3.9 FILL MATERIAL
No geo-technical studies were performed to characterize the soils on the property. No soils nor soil profiles were observable on the site. Several small piles of household trash, car tires and assorted construction junk were observed in the southern portion of the property. No other adverse conditions were observed.

5.4 INTERIOR OBSERVATIONS
Not applicable.

5.5 AREA RECONNAISSANCE
The area reconnaissance was performed to assist in evaluating if surrounding land uses have or could have contaminated the site. The area reconnaissance was conducted by touring the area by automobile and viewing particular businesses from public right-of-ways, and by actual observations at selected businesses or properties. The site is located in an area dominated by commercial and residential use land. The findings of our area reconnaissance will be discussed according to the geographic relation to the site: north, east, south and west.

5.5.1 North
Properties located to the north are considered hydrologically crossgradient to the subject site. The property is bounded to the north by a shopping center. No significant environmental concerns were observed north of the property during SEC's site reconnaissance.

5.5.2 East
Properties located to the east are considered hydrologically upgradient to the subject site. The property is bounded to the east by an apartment complex. No significant environmental concerns were identified to the east of the property.

5.5.3 South
Properties located to the south are considered hydrologically crossgradient to the subject site. The property is bounded to the south by a golf course and residential homes. No significant environmental concerns were identified to the south of the property.

5.5.4 West

5-4
Properties located to the west are considered hydrologically downgradient to the subject site. The property to the west of the property is I-75 and vacant land. No significant environmental concerns were observed west of the property.
6.0 INTERVIEWS

As part of this Phase I ESA, SEC interviewed several individuals in order to collect additional information concerning historical and present uses of the property.

6.1 INTERVIEW WITH OWNER

SEC interviewed Mr. Frank Potestio of Naples for this report.

6.2 INTERVIEW WITH SITE MANAGER

See above.

6.3 INTERVIEWS WITH OCCUPANTS

See above.

6.4 INTERVIEWS WITH LOCAL GOVERNMENT OFFICIALS

No reported environmentally related complaints, incidents or violations at the property were listed in the Lee County Pollution Control Division's complaint files.

6.5 INTERVIEWS WITH OTHERS

SEC interviewed Mr. Tom Gunderson, attorney, regarding the site.
7.0 FINDINGS AND OPINION

Based on the standardized research methods and resultant information contained within this Phase I Environmental Site Assessment, SEC has identified the following Recognized Environmental Conditions (RECs) in accordance with ASTM E 1527-05. A REC being defined by the above standard as the presence or likely presence of any hazardous substance or petroleum product on the 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.

POTENTIAL CONTAMINATION DUE TO SOURCES LOCATED ON THE PROPERTY:
Hazardous substance contamination: No Recognized Environmental Conditions Identified
Petroleum product contamination: No Recognized Environmental Conditions Identified.

POTENTIAL CONTAMINATION DUE TO SOURCES LOCATED ON ADJACENT PROPERTIES:
Hazardous substance contamination: No Recognized Environmental Conditions Identified
Petroleum product contamination: No Recognized Environmental Conditions Identified

POTENTIAL CONTAMINATION DUE TO SOURCES LOCATED WITHIN 1-MILE RADIUS:
Hazardous substance contamination: No Recognized Environmental Conditions Identified
Petroleum product contamination: No Recognized Environmental Conditions Identified

Further Discussion

Business Environmental Risk
No significant environmental issues were identified as having the potential to affect the proposed real estate transaction and / or the future business operations proposed for the subject site.

Historical Recognized Environmental Conditions (HREC's)
No historical environmental issue was identified as events in the past where hazardous substances or petroleum products were released on the subject site and were remediated in accordance with the responsible regulatory agency.

Material Threats
No environmental issues were identified as a physically observable or obvious threat, which is reasonably likely to lead to a release that, in the opinion of SEC, is threatening and might result in impact to public health or the environment.

De Minimis Conditions
No de minimus conditions with respect to the property were discovered during this Phase I ESA. These observances are not considered to be Recognized Environmental Conditions as defined by the ASTM E1527-05 practice.
OPINIONS

SEC has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-05 of the Towne Place Site that is located in Fort Myers (Lee County), Florida, the property. Any exceptions to, or deletions from, this practice are described in this report. This assessment has revealed no evidence of Recognized Environmental Conditions (REC's) in connection with the property, with the exception of the items listed in Section 8.0.

RECOMMENDATIONS

Based upon the results of Section 8.0 of this report, SEC recommends that no additional investigation be conducted at the subject site in order to evaluate the groundwater and or soil conditions on the property.
8.0 ASSESSMENT SUMMARY

Based on the standardized research methods and resultant information contained within this Phase I Environmental Site Assessment, SEC has identified the following Recognized Environmental Conditions ("REC"s) at the property in accordance with ASTM E 1527-05. A "REC" is defined by the above standard as the presence or likely presence of any hazardous substance or petroleum product on the 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. Any exceptions to, or deletions from, this practice are described in Section 1.4 of this report. This assessment has revealed no evidence of Recognized Environmental Conditions (REC's) in connection with the property.
9.0 DEVIATIONS

No deletions or deviations from ASTM E 1527-05 were noted in this report.
10.0 ADDITIONAL SERVICES

The following non-scope considerations were not performed as part of this Phase I ESA, and are not requirements of the ASTM E 1527-05 Practice; Asbestos Containing Materials (ACM), Radon, Lead-Based Paint, Lead In Drinking Water, Wetlands, Regulatory Compliance, Cultural And Historic Resources, Industrial Hygiene, Health & Safety, Ecological Resources, Endangered Species, Indoor Air Quality, Biological Agents and Mold.

The client may wish to assess the above issues in connection with a commercial real estate transaction. No implication is intended as to the relative importance of inquiry into such None-Scope Considerations, and this list is not intended to be all-inclusive.
11.0 REFERENCES

Information for this report was obtained from a review of the following information:

Published Documents


- Florida Department of Community Affairs (FDCA), Radon Protection Map, Lee County, dated 1995.


- Lee County Historical Division, aerial photographs dated 1947 and 1958.


12.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONAL
Steele Environmental Consulting, Inc.
8130 Coates Row Place, University Park, Florida 34201
(941) 355-4395

Background Summary

Steele Environmental Consulting Inc. (SEC) is a highly qualified environmental assessment-consulting firm based in Sarasota, Florida. SEC works with numerous clients locally and regionally to meet their environmental needs. SEC's emphasis is on the following areas:

- Phase I Environmental Site Assessments
- Contamination Assessments
- Leadership
- Groundwater Sampling
- Phase II Environmental Site Assessments
- Site Remediation
- Management Skills
- Soil Sampling

Professional Experience

Steele Environmental Consulting Inc., Sarasota, Florida ......................................................... 1998 - Present
President and Owner

Duties included business development of new clients; Provided evaluation of sites' potential soil and groundwater contamination (both hydrocarbons and solvent). Conducted Phase I & II Environmental Site Assessments, Underground Storage Tank (UST) removals, Closure Assessment Reports, prepared proposals, project budgets. Certified Florida Environmental Assessor, National Registry of Environmental Professionals.

Key Clients: Provident Bank, Landmark Bank, Northern Trust Bank, Sarasota Ford, VIP Commercial Realty, Kleiber, Richardson, Walter Real Estate

Law Engineering and Environmental Services, Inc., Sarasota, Florida ....................................... 1996 - 1998
Senior Environmental Geologist, Manager of Sarasota Branch Office

Duties included business development of new clients; Provided evaluation of sites' potential soil and groundwater contamination (both hydrocarbons and solvent). Conducted Phase I & II Environmental Site Assessments, Hydrogeological investigations, Contamination Assessment Reports, prepared proposals, project budgets. Certified Florida Environmental Assessor, National Registry of Environmental Professionals.


Senior Hydrogeologist


Primarily responsibilities include the evaluation of sites for potential subsurface soil and groundwater contamination using soil vapor and groundwater monitoring programs. Experienced in detection, evaluation and Remediation of hydrocarbon and solvent contamination. Experienced in underground storage tank closures, Hydrogeological investigations, including aquifer testing and modeling. Skills include coordinating and supervising of monitor well installation, soil and groundwater sampling and surveying.

4164 King Richard Drive, Sarasota, Florida 34232
(941) 355-4395 fax: (941) 355-4395
Steele Environmental Consulting, Inc.

PAGE TWO

Environmental Consulting & Technology, Inc., Tampa, Florida & Detroit, Michigan.........................1990 - 1992

Managed over 55 projects dealing with underground storage tank removals, site assessments and Remediation. Assisted with Hydrogeology segments of two major power plant siting projects and Lake Improvement Study for the St. John's River Water Management District.

Sarasota County Pollution Control Division, Sarasota, Florida.....................................................1986 - 1990

Environmental Specialist II and III

Coordinated Underground Storage Tank Program under contract with the Florida Department of Environmental Regulation. Inspected facilities for determination of eligibility into reimbursement program. Reviewed and approved over 50 Contamination Assessment Reports. Worked with public, station owners and consultants to help remediate contamination sites.

G.X. Consultants, Denver, Colorado.................................................................................................1979 - 1986

Well Site Geologist

Responsible for management of oil & gas drilling operations in seven Rocky Mountain States. Field representative for over 100 oil & gas wells. Duties included lithological collection and identification. Made recommendations to conduct coring operations and drill stem tests. Supervised electric wireline logging operations. Completed well reports upon the conclusion of drilling operations, which summarized all relevant data and reported our recommendations to the clients.

Education

Bachelor's Degree: Geology
University of South Florida, Tampa, Florida, 1979

A.S., Oceanography
Florida Institute of Technology, Melbourne, Florida, 1976

Academic and Professional Affiliations

Florida Association of Professional Geologists
Florida Environmental Assessors Association
National Well Water Association
Sarasota County Pollution Control Advisory Board
Sarasota County Stormwater Environmental Utilities Advisory Board

Leadership

United States Junior Chamber of Commerce (Jaycees)
Sarasota Florida Chapter


4164 King Richard Drive, Sarasota, Florida 34232
(941) 355-4395 fax: (941) 355-4395
CERTIFICATIONS
# Certificate of Liability Insurance

**Date:** 12/23/2010

### Certificate Holder

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### Exclusions and Conditions of Such Policies

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### Scheduling of Operations

Florida Dept of Environmental Protection is an additional insured under the terms and conditions of the General Liability & Errors & Omissions Liability policies with respect to work performed by the named insured as required by written contract.

### Certificate Holder

Florida Dept of Environmental Protection
Ms. Gail Stephens
Twin Towers Office Bldg - MS4595
2600 Blair Stone Rd
Tallahassee, FL 32399-2400

### Cancellation

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

Authorized Representative
Patricia Schmaltz/JOANR

© 1988-2009 ACORD CORPORATION. All rights reserved.
February 22, 2001

Mr. Richard Steele
Steele Environmental
4164 King Richard Dr.
Sarasota, FL 34232

Dear Mr. Steele:

CONGRATULATIONS! On behalf of the Board of Directors and staff of the Greater Sarasota Chamber of Commerce, welcome to Sarasota’s premier Business Association.

As our areas leading business community advocate, your Chamber of Commerce represents and works for you. The Chamber takes pride in embracing high standards for business and professional ethics within the membership. We are committed to the continued improvement of the quality of life for the community in which we live and work. Your commitment and support of the chamber will help nurture and ensure a healthy, balanced economy and business climate.

We recognize that every new member has different needs, therefore we encourage you to explore the various programs and activities offered by the chamber and take advantage of those programs that may benefit you most. Being active in your chamber strengthens the organization and makes it more effective. The contacts you make provide a boost to your business and help "open doors to success." Everyone likes a win/win situation and that is available to you when you participate.

We also welcome new ideas and fresh points of view. To help achieve a solid two-way communication between you and your chamber, you can expect to hear from us periodically. Through each contact, it will be our goal to make certain we are meeting your membership expectations and needs. We’ll also look forward to hearing your comments on important business issues as well as your suggestions for the continued growth of the chamber.

In the meantime, should you have questions, or need information, please don’t hesitate to contact us by phone 955-8187 or fax 366-5621. And thank you for joining other business leaders in supporting the Greater Sarasota Chamber of Commerce.

Sincerely,

Rex G. Richards
President

RGR/rlc
# ACORD Certificate of Liability Insurance

**Producer:** Lassiter-Ware Insurance
- **Address:** 4401 W. Kennedy Blvd.
- **City:** Tampa, FL 33609

**INSURED:** Steele Environmental Consulting, Inc.
- **Address:** 8130 Coates Row Place
- **City:** University Park, FL 34201

**DATE:** 05/27/2009

---

## Coverages

The policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies. Aggregate limits shown may have been reduced by paid claims.

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<td>ENV0217200901</td>
<td>01/31/2009</td>
<td>01/31/2010</td>
<td>EACH OCCURRENCE: $1,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>DAMAGE TO RENTED PREMISES (EA occurrence): $50,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>MED EXP (Any one person): $5,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>PERSONAL &amp; ADV INJURY: $1,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>GENERAL AGGREGATE: $1,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>PRODUCTS - COMPOF AGG: $1,000,000</td>
</tr>
</tbody>
</table>

### Automobile Liability

<table>
<thead>
<tr>
<th>Type of Insurance</th>
<th>Policy Number</th>
<th>Policy Effective Date</th>
<th>Policy Expiration Date</th>
<th>Limits</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Owned Autos</td>
<td>ENV0217200901</td>
<td>01/31/2009</td>
<td>01/31/2010</td>
<td>COMBINED SINGLE LIMIT (EA accident): $1,000,000</td>
</tr>
<tr>
<td>Scheduled Autos</td>
<td></td>
<td></td>
<td></td>
<td>BODILY INJURY (Per person): $</td>
</tr>
<tr>
<td>Hired Autos</td>
<td></td>
<td></td>
<td></td>
<td>BODILY INJURY (Per accident): $</td>
</tr>
<tr>
<td>Non-Owned Autos</td>
<td></td>
<td></td>
<td></td>
<td>PROPERTY DAMAGE (Per accident): $</td>
</tr>
</tbody>
</table>

### Garage Liability

<table>
<thead>
<tr>
<th>Type of Insurance</th>
<th>Policy Number</th>
<th>Policy Effective Date</th>
<th>Policy Expiration Date</th>
<th>Limits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any Auto</td>
<td></td>
<td></td>
<td></td>
<td>AUTO ONLY - EA ACC: $</td>
</tr>
</tbody>
</table>

### Excess Umbrella Liability

<table>
<thead>
<tr>
<th>Type of Insurance</th>
<th>Policy Number</th>
<th>Policy Effective Date</th>
<th>Policy Expiration Date</th>
<th>Limits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occur</td>
<td>ENV0217200901</td>
<td>01/31/2009</td>
<td>01/31/2010</td>
<td>EACH OCCURRENCE: $</td>
</tr>
<tr>
<td>Claims Made</td>
<td></td>
<td></td>
<td></td>
<td>AGGREGATE: $</td>
</tr>
<tr>
<td>Deductible</td>
<td></td>
<td></td>
<td></td>
<td>$</td>
</tr>
<tr>
<td>Retention</td>
<td></td>
<td></td>
<td></td>
<td>$</td>
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### Workers Compensation and Employers Liability

<table>
<thead>
<tr>
<th>Type of Insurance</th>
<th>Policy Number</th>
<th>Policy Effective Date</th>
<th>Policy Expiration Date</th>
<th>Limits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any Proprietor/Partner/Executive Officer/Member Excluded?</td>
<td>ENV0217200901</td>
<td>01/31/2009</td>
<td>01/31/2010</td>
<td>WC STATUTORY LIMIT: $</td>
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<tr>
<td>Special Provisions Below</td>
<td></td>
<td></td>
<td></td>
<td>OTHER: $</td>
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</table>

### Professional Liability

<table>
<thead>
<tr>
<th>Type of Insurance</th>
<th>Policy Number</th>
<th>Policy Effective Date</th>
<th>Policy Expiration Date</th>
<th>Limits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limits incl with General Liab.</td>
<td>ENV0217200901</td>
<td>01/31/2009</td>
<td>01/31/2010</td>
<td>$1,000,000 Per Claim</td>
</tr>
</tbody>
</table>

**Description of Operations / Locations / Vehicles / Exclusions added by endorsement / special provisions**

---

## Certificate Holder

**Panther Community Bank**
- **Address:** 50 Joel Boulevard
- **City:** Lehigh Acres, FL 33036

**Cancellation:**

- **Issue:** Should any of the above described policies be cancelled before the expiration date thereof, the issuing insurer will endeavor to mail 10 days written notice to the certificate holder named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the insurer, its agents or representatives.

**Authorized Representative:** Patricia Schmautz/ JUDES

©ACORD CORPORATION 1998
STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION

This is to Certify that

Richard G. Steele

Having furnished satisfactory evidence of Attainments and Qualifications, and having passed the Examination, as required by Chapter 492, is hereby duly Certified as a

Professional Geologist

In Conformity with an Act of the Legislature of the State of Florida, creating and regulating the profession.

Collins H. Loggs
Chairman of the Board

Bob Martinez, Governor
Larry Gonzalez, Secretary
Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from boxers to barbeque restaurants, and they keep Florida's economy strong.

Every day we work to improve the way we do business in order to serve you better. For information about our services, please log onto www.myfloridallicense.com. There you can find more information about our divisions and the regulations that impact you, subscribe to department newsletters and learn more about the Department's initiatives.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!
Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from boxers to barbeque restaurants, and they keep Florida's economy strong.

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STATE OF FLORIDA
DEPARTMENT OF FINANCIAL SERVICES
DIVISION OF WORKERS’ COMPENSATION

* * CERTIFICATE OF ELECTION TO BE EXEMPT FROM FLORIDA WORKERS’ COMPENSATION LAW * *

NON-CONSTRUCTION INDUSTRY EXEMPTION

This certifies that the individual listed below has elected to be exempt from Florida Workers’ Compensation law.

EFFECTIVE DATE: 06/03/2009  EXPIRATION DATE: N/A
PERSON: STEELE  RICHARD G
FEIN: 650887833
BUSINESS NAME AND ADDRESS:
STEEL ENVIRONMENTAL CONSULTING INC
8130 COATES ROW PLACE
UNIVERSITY PARK  FL  34201

SCOPES OF BUSINESS OR TRADE:
1- GEOLOGIST

IMPORTANT: Pursuant to Chapter 440, F.S., an officer of a corporation who elects exemption from this chapter by filing a certificate of election under this section may not recover benefits or compensation under this chapter. Pursuant to Chapter 440, F.S., Certificates of election to be exempt... apply only within the scope of the business or trade listed on the notice of election to be exempt. Pursuant to Chapter 440, F.S., Notices of election to be exempt and certificates of election to be exempt shall be subject to revocation if, at any time after the filing of the notice or the issuance of the certificate, the person named on the notice or certificate no longer meets the requirements of this section for issuance of a certificate. The department shall revoke a certificate at any time for failure of the person named on the certificate to meet the requirements of this section.

WJC-252 CERTIFICATE OF ELECTION TO BE EXEMPT REVISED 09-06

PLEASE CUT OUT THE CARD BELOW AND RETAIN FOR FUTURE REFERENCE

STATE OF FLORIDA
DEPARTMENT OF FINANCIAL SERVICES
DIVISION OF WORKERS’ COMPENSATION
NON-CONSTRUCTION INDUSTRY
CERTIFICATE OF ELECTION TO BE EXEMPT FROM FLORIDA WORKERS’ COMPENSATION LAW

EFFECTIVE: 06/03/2009  EXPIRATION DATE: N/A
PERSON: RICHARD G STEELE
FEIN: 650887833
BUSINESS NAME AND ADDRESS:
STEEL ENVIRONMENTAL CONSULTING INC
8130 COATES ROW PLACE
UNIVERSITY PARK, FL 34201

SCOPE OF BUSINESS OR TRADE:
1- GEOLOGIST

IMPORTANT
Pursuant to Chapter 440, F.S., an officer of a corporation who elects exemption from this chapter by filing a certificate of election under this section may not recover benefits or compensation under this chapter. Pursuant to Chapter 440, F.S., Certificates of election to be exempt... apply only within the scope of the business or trade listed on the notice of election to be exempt. Pursuant to Chapter 440, F.S., Notices of election to be exempt and certificates of election to be exempt shall be subject to revocation if, at any time after the filing of the notice or the issuance of the certificate, the person named on the notice or certificate no longer meets the requirements of this section for issuance of a certificate. The department shall revoke a certificate at any time for failure of the person named on the certificate to meet the requirements of this section.

QUESTIONS? (850) 413-1609

WJC-252 CERTIFICATE OF ELECTION TO BE EXEMPT REVISED 09-06

* Carry bottom portion on the job, keep upper portion for your records.
Be it known to all persons that the following individual
pursuant to the requirements for education, experience and
examination is entitled to all the rights and privileges
granted by the body and to be duly registered by it.

This is to certify that

Richard G Steele

is a

Certified Florida Environmental Assessor and
Registered Environmental Property Assessor

This certificate will remain valid only if it bears the seal
of the current year, unless revoked, suspended or invalidated
by order of the Board of Directors of The National Registry
of Environmental Professionals.

This 30th Day of April 1997

Certification Number: CFEA 212

Registration Number: REPA 5896
The Florida Environmental Assessors Association, Inc.

Hereby Certifies That

Mr. Richard G. Steele

Has completed the FEAA All Appropriate Inquiry Workshop for CFEAs

May 24, 2005

Instructor

CEUs: 2.0
W.E.S., Inc.
ENVIRONMENTAL DIVISION

This is to certify that

RICK STEELE has successfully completed a Course of Study in
OSHA 8 HOUR REFRESHER HEALTH & SAFETY COURSE CFR 1910.120 Offered in accordance with the Educational Program of Water Equipment Services

Presented at Sarasota, this the 9th day of April, 1992.

[Signature]

[Signature]
National Environmental Training Institute Inc.

CERTIFICATE OF ATTENDANCE

BE IT KNOWN THAT

RICHARD G. STEELE
264-84-3088

HAS SUCCESSFULLY COMPLETED A 8 HOUR COURSE AND, AFTER PASSING THE REQUIRED EXAMINATION, IS HEREBY AWARDED THIS CERTIFICATE FOR

HAZWOPER ANNUAL REFRESHER

ON
February 5, 1998

WILLIAM F. STEELE
Director of Education

STEVE FISH
Instructor

E:

CORPARE: APW6828 Certificate Number

(813) 662-5552
11516-B Valencia Dr.
Seffner, Florida 33584
University of North Florida

Division of Continuing Education & Extension

Environmental Education & Safety Institute

Certificate of Completion

on the 7th day of MAY, 1990

R. STEEL

Passed Examination: 4.0

Certification No.: 00689

James E. Kelley
Director

Marcella C. Lovett
Dean

Health and Safety Training Site Workers

has successfully completed the certificate requirements for

and in evidence thereof is awarded this
UNIVERSITY OF FLORIDA

Center for Training, Research and Education
for Environmental Occupations

has successfully met certificate requirements on
this 9th day of MARCH 1989
for participation in a scheduled activity of the center

RICHARD STEELE

certifies that

INTRODUCTION TO GROUNDWATER:
CONTAMINATION, INVESTIGATION, AND
REMEDIAL ASSESSMENT

CEUS Awarded
6.3

CENTER FOR TRAINING, RESEARCH AND EDUCATION
FOR ENVIRONMENTAL OCCUPATIONS

James O. Bryant, Jr., Director
W.E.S., Inc.
ENVIRONMENTAL DIVISION

This is to certify that

RICK STEELE

has successfully completed a Course of Study in

OSHA 8 HOUR REFRESHER HEALTH & SAFETY COURSE CFR 1910.120

has successfully completed the Educational Program of

Water Equipment Services

offered in accordance with the

Presented at Sarasota, this the 4th day of FEB 1994

(Handwritten Signature)
This certifies that Rick Steele has successfully completed an eight-hour course with regard to hazardous waste site safety, the use of personal protective equipment, work practices, engineering controls and other requirements of 29 CFR 1910.120.

Date: 2/22/97

David J. Silver, CHI - Instructor
The Florida Environmental Assessors Association, Inc.
Hereby Certifies That

Mr. Richard G. Steele

Has completed the FEAA
Phase I & II Environmental Site Assessment Training Course
March 18-20, 2002

Eugene B. Jones
Instructor
CEUs: 15.0
The International Society of Technical & Environmental Professionals, Inc. (INSTEP)

Hereby Certifies That:

Richard G. Steele, (LEP #116)

Is a Member in Good Standing

Membership #: 609

December 31, 2011

Signature: Eugene A. James

Administrator

Expiration Date:
SARASOTA COUNTY LOCAL BUSINESS TAX RECEIPT

ACCOUNT NO. 3901940042303

THIS TAX DOES NOT ASSURE QUALITY OF WORK OR CONFIRM THAT REGULATORY OR ZONING REQUIREMENTS HAVE BEEN MET. IT IS THE OWNER'S RESPONSIBILITY TO ENSURE COMPLIANCE.

HINES

BUSINESS TYPE 390194 ENVIRONMENTAL CONSULTANT

6389 TOWER LN
SARASOTA uninc FL 34240-0000

PAID-6079782.0001-0001 HSP 08/08/2007 14.43

RICHARD G STEELE
8130 COATES ROW PL
UNIVERSITY PARK FL 34201-0000

ACTIVE

BARBARA FORD-COATES, TAX COLLECTOR
101 S. WASHINGTON BLVD., SARASOTA, FL 34236-6993
(941) 861-8300
www.SarasotaTaxCollector.com • Info@SarasotaTaxCollector.com

MUST BE DISPLAYED IN A CONSPICUOUS PLACE
VALID UNTIL 10/1/08

INFORMATION ONLY: REMOVE OR FOLD BEHIND BEFORE POSTING RECEIPT

THIS RECEIPT IS FURNISHED PURSUANT TO CHAPTER 205 LAWS OF FLORIDA AND SARASOTA COUNTY ORDINANCE 91-064, AS AMENDED

The law requires this receipt to be displayed conspicuously at the place of business so that it is open to the view of the public and liable for inspection. Upon failure to do so, the business shall be subject to the payment of another full tax for the same business, session or occupation.

The tax payment is due each year by September 30th. Payment after September 30th is delinquent and subject to a penalty of 10% for the month of October, plus an additional 5% penalty for each month thereafter. The total delinquency penalty shall not exceed 25% of the tax. A 25% penalty is imposed on any person engaged in any new business, occupation or profession without first paying a Sarasota County Business Tax.

This receipt is for a business tax only. It does not permit the person/business to violate any existing regulatory or zoning laws of the state, county, or cities, nor does it exempt the business from licenses or permits that may be required by law. This receipt does not assure quality of work.

Businesses in Sarasota County are responsible for complying with the Sarasota County mandatory recycling ordinance.

Business Taxes are subject to change according to law.
APPENDIX A

SITE FIGURES
West Lake Village Site
College Club Loop
Fort Myers, Florida

S. E. C.
Steele Environmental Consulting, Inc.

SITE LOCATION MAP
SEC Project No. 11-028 Figure 1
APPENDIX B

SITE PHOTOGRAPHS
Photograph 1: View of the property looking towards the southwest.

Photograph 2: View of the property looking towards the west.

Photograph 3: View of the property looking towards the west.
Photograph 4: View of the property looking towards the northeast.

Photograph 5: View of the interior of the property.

Photograph 6: View of the interior of the property.
APPENDIX C

LEGAL DESCRIPTION
## Property Data for Parcel 11-46-25-00-00001

### Owner Of Record
TOWNE PLACE/UCA LLC  
2235 VENETIAN CT STE 3  
NAPLES FL 34109

### Site Address
COLLEGE CLUB LOOP  
FORT MYERS FL 33913

### Legal Description
PARL LYING IN SEC 10 + 11  
DESC IN INST 2005-176537

### Classification / DOR Code
VACANT COMMERCIAL / 10

### Property Values (2010 Tax Roll)

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
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<tbody>
<tr>
<td>Just</td>
<td>1,785,291</td>
</tr>
<tr>
<td>Assessed</td>
<td>1,785,291</td>
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<tr>
<td>Portability Applied</td>
<td>0</td>
</tr>
<tr>
<td>Assessed SOH</td>
<td>1,785,291</td>
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<tr>
<td>Taxable</td>
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<tr>
<td>Building</td>
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</tr>
<tr>
<td>Building Features</td>
<td>Incl. in bldg value</td>
</tr>
<tr>
<td>Land</td>
<td>1,785,291</td>
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<tr>
<td>Land Features</td>
<td>Incl. in land value</td>
</tr>
</tbody>
</table>

### Exemptions

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</tr>
<tr>
<td>Additional Homestead</td>
<td>0</td>
</tr>
<tr>
<td>Widow</td>
<td>0</td>
</tr>
<tr>
<td>Widower</td>
<td>0</td>
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<tr>
<td>Disability</td>
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</tr>
<tr>
<td>Wholly</td>
<td>0</td>
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<tr>
<td>Senior</td>
<td>0</td>
</tr>
<tr>
<td>Agriculture</td>
<td>0</td>
</tr>
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</table>

### Taxing Authorities

### Sales / Transactions

### Parcel Numbering History

3/16/2011
APPENDIX D

HISTORICAL RESEARCH DOCUMENTATION
APPENDIX E

REGULATORY RECORDS DOCUMENTATION
# Environmental Regulatory Database Report

Federal, State, Tribal and Local Governmental Record Sources  
**ASTM (E 1527-05) / AAI (40 CFR Part 312)**

## Subject Property:

<table>
<thead>
<tr>
<th>Name/Description</th>
<th>Towne Place / UCA LLC Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>College Club Loop</td>
</tr>
<tr>
<td></td>
<td>Fort Myers, FL 33913</td>
</tr>
<tr>
<td>Job Number</td>
<td>03241101 (SEC Project Number: 11-028)</td>
</tr>
</tbody>
</table>

## Performed For:

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Steele Environmental Consultants, Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Report Date</td>
<td>03/19/11</td>
</tr>
</tbody>
</table>

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*Providers of environmental reporting and mapping services and solutions*

[teknophobic.net](http://www.teknophobic.net)  
For sales or support  
877-584-0073 (toll-free)  
info@teknophobic.com
### Report Contents

1. Subject Site Profile
2. Site Summary - Count
3. Site Summary - List
4. Map Details
5. Site Details Section
6. Unplottable Site List
7. Report Definitions

### Disclaimer, Terms & Limitations

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Subject Property Profile

The Subject Property Profile highlights the target upon which this report is based. The subject property details are listed along with an On-site Summary Site Listing, Physical Setting Information and Additional Environmental Record Sources.

On-site Summary Site Listing

This section lists sites that are considered to exist at the subject/target property or within the subject property's site boundary.

Physical Setting Information

This section provides physical setting information for the subject property area.

<table>
<thead>
<tr>
<th>Source</th>
<th>Information</th>
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</thead>
<tbody>
<tr>
<td>USGS Topographic MapQuad Name:</td>
<td>Estero, Florida</td>
</tr>
<tr>
<td>Year Published:</td>
<td>72</td>
</tr>
<tr>
<td>Year Revised:</td>
<td>72</td>
</tr>
<tr>
<td>Source: U.S. Geological Survey</td>
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</tr>
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<td>Site Elevation:</td>
<td>0 feet</td>
</tr>
<tr>
<td>Source: U.S. Geological Survey</td>
<td></td>
</tr>
</tbody>
</table>

Geologic Information:

| Formation: | TQSU |
| Period: | TERTIARY/QUaternary |
| Epoch: | Pliocene/Pleistocene (Yellow with dark green pattern) |
| Description: | Shellfish sediments of Plio-Pleistocene. Shellfish sand and clay |
| Source: U.S. Geological Survey |

NRCS Soil Information:

| Area: | Lee County, Florida |
| Name: | Felda fine sand (symbol: 12) |
| Description: | The Felda component makes up 90 percent of the map unit. Slopes are 0 to 2 percent. This component is on drainageways on marine terraces on coastal plains. The parent material consists of sandy and loamy marine deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is poorly drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 6 inches during July, August, September, October. Organic matter content in the surface horizon is about 2 percent. This component is in the R155XY011FL Slough ecological site. Nonirrigated land capability classification is 3w. This soil meets hydric criteria. The soil has a slightly sodic horizon within 30 inches of the soil surface. |
Name: Boca fine sand  (symbol: 13)
Description: The Boca component makes up 85 percent of the map unit. Slopes are 0 to 2 percent. This component is on flats on marine terraces on coastal plains. The parent material consists of sandy and loamy marine deposits over limestone. Depth to a root restrictive layer, bedrock, lithic, is 24 to 40 inches. The natural drainage class is poorly drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is very low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 12 inches during January, February, June, July, August, September, October. Organic matter content in the surface horizon is about 2 percent. This component is in the R155XY003FL South Florida Flatwoods ecological site. Nonirrigated land capability classification is 3w. This soil does not meet hydric criteria. The soil has a slightly sodic horizon within 30 inches of the soil surface.

Name: Pineda fine sand  (symbol: 26)
Description: The Pineda component makes up 87 percent of the map unit. Slopes are 0 to 1 percent. This component is on drainageways on marine terraces on coastal plains. The parent material consists of sandy and loamy marine deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is poorly drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 6 inches during June, July, August, September, October, November. Organic matter content in the surface horizon is about 3 percent. This component is in the R155XY011FL Slough ecological site. Nonirrigated land capability classification is 3w. This soil meets hydric criteria. The soil has a slightly sodic horizon within 30 inches of the soil surface.

Name: Immokalee sand  (symbol: 28)
Description: The Immokalee component makes up 90 percent of the map unit. Slopes are 0 to 2 percent. This component is on flatwoods on marine terraces on coastal plains. The parent material consists of sandy marine deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is poorly drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 12 inches during June, July, August, September. Organic matter content in the surface horizon is about 3 percent. This component is in the R155XY003FL South Florida Flatwoods ecological site. Nonirrigated land capability classification is 4w. This soil does not meet hydric criteria. The soil has a slightly sodic horizon within 30 inches of the soil surface.
Name: Oldsmar sand (symbol: 33)
Description: The Oldsmar component makes up 87 percent of the map unit. Slopes are 0 to 2 percent. This component is on flatwoods on marine terraces on coastal plains. The parent material consists of sandy and loamy marine deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is poorly drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 12 inches during June, July, August, September, Organic matter content in the surface horizon is about 4 percent. This component is in the R155XY003FL South Florida Flatwoods ecological site. Nonirrigated land capability classification is 4w. This soil does not meet hydric criteria. The soil has a slightly sodic horizon within 30 inches of the soil surface.

Name: Matlacha gravelly fine sand (symbol: 69)
Description: The Matlacha component makes up 100 percent of the map unit. Slopes are 0 to 2 percent. This component is on flats, coastal plains. The parent material consists of sandy mine spoil or earthy fill. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat poorly drained. Water movement in the most restrictive layer is high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 30 inches during June, July, August, September, October. Organic matter content in the surface horizon is about 1 percent. Nonirrigated land capability classification is 6s. This soil does not meet hydric criteria. The soil has a slightly sodic horizon within 30 inches of the soil surface.

Source: U.S. Department of Agriculture, Natural Resources Conservation Service

Aquifer Information:
Rock Name: Unconsolidated sand and gravel aquifers
Aquifer Name: Surficial aquifer system
Description: Not Reported. DISCHARGE/LESS THAN 1
Source: U.S. Geological Survey

FEMA Flood Hazard Area:
FIRM Panel: 1251240475B
Flood Zone: X500
Description: AREA LOCATED OUTSIDE SPECIAL FLOOD HAZARD AREA
Source: Federal Emergency Management Agency (FEMA)

Radon Zones:
Low Potential: Zone 3 - Counties that have a predicted average indoor radon screening level less than 2 pCi/L.
Source: U.S. Environmental Protection Agency

USFWS Wetlands Inventory:
This section provides additional record sources that may be contacted for additional environmentally relevant information.

<table>
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<tr>
<th>Type</th>
<th>Contact</th>
<th>Contact Info</th>
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<tbody>
<tr>
<td>Lee County Health Department</td>
<td>Lee County</td>
<td>(239) 939-4245</td>
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<tr>
<td>Fire Administration</td>
<td>City of Fort Myers</td>
<td>(239) 321-7311</td>
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<tr>
<td>Building Permitting &amp; Inspections</td>
<td>City of Fort Myers</td>
<td>(239) 338-2373</td>
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<td>Code Enforcement</td>
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## Site Summary Count

This summary count lists each program searched by enviro-search along with the number of sites found at each respective search distance, including totals. The sites located by enviro-search were found within the search parameters defined by the ASTM E1527-05 (Standard Practice for Environmental Site Assessment: Phase I Environmental Site Assessment Process), unless otherwise instructed by our client.

### Standard Environmental Record Sources (For program definitions and dates see the Definitions Section)

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**Totals**

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Site Summary List

This summary lists all the sites that were located by enviro-search within the search parameters defined by the ASTM E1527-05 (Standard Practice for Environmental Site Assessment: Phase I Environmental Site Assessment Process), unless otherwise instructed by our client.

Each site found in our search is assigned a "Map Tag". In the case where a site participates in multiple programs, each individual program will be listed under a single "Map Tag".

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<thead>
<tr>
<th>Map Tag</th>
<th>Program Type/ID</th>
<th>Site Name/Address</th>
<th>Distance (mi.)</th>
<th>Direction/Elevation(ft.)</th>
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<td>None Found</td>
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</table>
Property Name: Towne Place / UCA LLC Site
College Club Loop
Fort Myers, Florida 33913
Search Distance: 1/8 mile (standard)

Performed For:
Steele Environmental Consulting, Inc.
User/Contact: Richard G. Steele
Date Ordered: 03-23-11
Report #: 03231101
Unplottable Sites

This summary list consists of sites whose location is undetermined due to the availability and accuracy of address information or limitations of the geocoding process. The following list, unless otherwise instructed, lists all unplottable sites whose zip code (when available) corresponds with that of any zip code within one mile of the subject property.

<table>
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Environmental Record Sources and Definitions

This following section provides program definitions, release dates and source information for each program reported by envirol-search. For questions or additional information please contact the sources listed below or contact us at 877-584-0073 or info@tekphobic.com.

**NPL: National Priorities List**

The NPL is the list of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States and its territories. The NPL is intended primarily to guide the EPA in determining which sites warrant further investigation.

Source: Environmental Protection Agency (EPA)

Data Date: 05/2010 Request Date: 06/2010

**D-NPL: Delisted NPL**

EPA may delete a final NPL site if it determines that no further response is required to protect human health or the environment. Under Section 300.425(e) of the National Contingency Plan (55 FR 8845, March 8, 1990), a site may be deleted where no further response is appropriate if EPA determines that one of certain criteria has been met.

Data Date: 05/2010 Request Date: 06/2010

Source: Environmental Protection Agency (EPA)

**CERCLIS: Comprehensive Environmental Response, Compensation, and Liability Information System**

CERCLIS is a database used by the U.S. Environmental Protection Agency (EPA) to track activities conducted under its Superfund program. Specific information is tracked for each individual site. Sites which come to EPA's attention because of a potential for releasing hazardous substances into the environment are added to the CERCLIS inventory.

Data Date: 05/2010 Request Date: 06/2010

Source: Environmental Protection Agency (EPA)

**NFRAP: No Further Response Action Planned**

An archived site is one at which EPA has determined that assessment has been completed and no further remedial action is planned under the Superfund program at this time.

Data Date: 05/2010 Request Date: 06/2010

Source: Environmental Protection Agency (EPA)

**RCRA-CORRACTS: Resource Conservation and Recovery Act (RCRA) - Corrective Action Program**

Accidents at facilities that house hazardous wastes release pollutants into soil, groundwater, surface water, and air. To combat those effects, the Resource Conservation and Recovery Act (RCRA) Corrective Action Program, run by EPA and 43 authorized states and territories, works with responsible facilities to investigate and clean up hazardous releases.

Source: Environmental Protection Agency (EPA)

Data Date: 06/2010 Request Date: 06/2010

**RCRA-TSD: Resource Conservation and Recovery Act (RCRA) - Treatment, Storage and/or Disposal**

Those facilities on which treatment, storage and/or disposal of hazardous wastes take place, as defined and regulated by RCRA.

Source: Environmental Protection Agency (EPA)

Data Date: 06/2010 Request Date: 06/2010

**RCRA: Resource Conservation and Recovery Act**
RCRA is the Resource Conservation and Recovery Act, which Congress enacted in 1976. RCRA's primary goals are to protect human health and the environment from the potential hazards of waste disposal, to conserve energy and natural resources, to reduce the amount of waste generated, and to ensure that wastes are managed in an environmentally sound manner.

Source: Environmental Protection Agency (EPA)

Data Date: 06/2010 Request Date: 06/2010

**ERNS: Emergency Response Notification System**

The ERNS database is comprised of incidents reported to the National Response Center. These incidents include chemical spills, accidents involving chemicals (such as fires or explosions), oil spills, transportation accidents that involve oil or chemicals, releases of radioactive materials, sightings of oil sheens on bodies of water, terrorist incidents involving chemicals, incidents where illegally dumped chemicals have been found, and drills intended to prepare responders to handle these kinds of incidents.

Source: National Response Center (NRC)

Data Date: 12/2009 Request Date: 06/2010

**AFS: AIRS Facility Subsystem (AFS is a component of the Aerometric Information Retrieval System)**

AFS contains emissions, compliance, and enforcement data on stationary sources of air pollution. Regulated sources cover a wide spectrum; from large industrial facilities to relatively small operationssuch as dry cleaners (automobiles and other mobile air pollution sources are tracked by a differentAIRS subsystem (AMS).

Source: Environmental Protection Agency (EPA)

Data Date: 04/2009 Request Date: 06/2010

**ICIS-FEC: Integrated Compliance Information System for federal enforcement data**

ICIS contains information on federal administrative and federal judicial cases under the following environmental statutes: the Clean Air Act (CAA), the Clean Water Act (CWA), the Resource Conservation and Recovery Act (RCRA), the Emergency Planning and Community Right-to-Know Act (EPCRA) Section 313, the Toxic Substances Control Act (TSCA), the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund), the Safe Drinking Water Act (SDWA), and the Marine Protection, Research, and Sanctuaries Act (MPRSA).

Source: Environmental Protection Agency (EPA)

Data Date: 04/2009 Request Date: 06/2010

**ICIS-NPDES: Integrated Compliance Information System for Clean Water Act permitted dischargers (under the National Pollutant Discharge Elimination System)**

ICIS-NPDES is an information management system maintained by the Office of Compliance to track permit compliance and enforcement status of facilities regulated by the National Pollutant DischargeElimination System (NPDES) under the Clean Water Act.

Source: Environmental Protection Agency (EPA)

Data Date: 04/2009 Request Date: 06/2010

**PCS: Permit Compliance System for Clean Water Act permitted dischargers (under the National Pollutant Discharge Elimination System)**

PCS is an automated information management system maintained by the Office of Compliance to track permit compliance and enforcement status of facilities regulated by the National PollutantDischarge Elimination System (NPDES) under the Clean Water Act.

Source: Environmental Protection Agency (EPA)

Data Date: 04/2009 Request Date: 06/2010

**FRS: Facility Registry System**
The FRS is a centrally managed database developed by EPA's Office of Information Collection in the Office of Environmental Information (OEI). It provides Internet access to a single source of comprehensive information about facilities, sites or places subject to environmental regulations or of environmental interest. The FRS contains accurate and authoritative facility identification records which are subjected to rigorous verification and data management quality assurance procedures. The FRS has over 2.5 million unique facility records linking over 3.5 million program interests, including data from over 30 national environmental data systems and over 45 state systems.

Source: Environmental Protection Agency (EPA)

Data Date: 04/2010 Request Date: 06/2010

**TRI: Toxic Release Inventory**

PCS is an automated information management system maintained by the Office of Compliance to track permit compliance and enforcement status of facilities regulated by the National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act.

Source: Environmental Protection Agency (EPA)

Data Date: 04/2010 Request Date: 06/2010

**SPL-FL: Superfund site**

The federal Environmental Protection Agency (EPA) administers the Superfund Program (see NPL) in cooperation with the individual States and tribal governments. The Florida Department of Environmental Protection administers the Superfund Program at the state level.

for more information, visit http://www.dep.state.fl.us/waste/categories/wc/pages/cleanup/pages/nplsites.htm

Data Date: 09/05/08 Request Date: 02/05/09

**SCL-FL: State Cleanup site**

Florida DEP State-Funded Hazardous Waste Cleanup Site areas (does not include Drycleaning Solvent Cleanup Program, DoD, NPL sites or PSRP cleanups under District Office supervision). Provides location of sites proposed, active or delisted from the list.

for more information, contact John.Sykes@dep.state.fl.us

Data Date: 11/05/07 Request Date: 02/05/09

**BROWN-AREA-FL: Brownfield area**

This data set contains Brownfield Boundaries. Brownfields are defined by the Florida Department of Environmental Protection (FDEP) as abandoned, idled, or underused industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination.

for more information, visit http://www.dep.state.fl.us/waste/categories/brownfields/default.htm

Data Date: 03/08/08 Request Date: 02/05/09

**BROWN-FL: Brownfield site**

This data set contains brownfield point locations which are abandoned, idled, or underused industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination.

for more information, visit http://www.dep.state.fl.us/waste/categories/brownfields/default.htm

Data Date: 03/08/08 Request Date: 02/05/09

**CONTAM-FL: Contaminated Area**

The Contaminated Facilities list provides information for facilities that are currently or were historically contaminated. This list also provides the discharge date, combined discharge information, discharge cleanup status, site manager information, score, and contaminated media information for all facilities that have ever had contamination.

for more information, visit http://www.dep.state.fl.us/waste/quick_topics/database_reports/pages/stcm/petro_reports.htm
DRY CLEANER-FL: Dry Cleaner site
The Florida Legislature has established a state-funded program to cleanup properties that are contaminated as a result of the operations of a drycleaning facility or wholesale supply facility (Chapter 376, Florida Statutes). The program is administered by the Florida Department of Environmental Protection.
for more information, visit http://www.dep.state.fl.us/waste/categories/drycleaning/default.htm

LUST-FL: Leaking Underground Storage Tank
Petroleum Cleanup Program encompasses the technical oversight, management, and administrative activities necessary to prioritize, assess, and cleanup sites contaminated by discharges of petroleum and petroleum products from stationary petroleum storage systems.
for more information, visit http://www.dep.state.fl.us/waste/categories/pcp/default.htm

SWLF-FL: Solid Waste Landfill site
The Facilities Subsection provides technical assistance to the District offices concerning the permitting, compliance and enforcement activities associated with landfills, construction & demolition debris facilities, transfer stations and other solid waste management facilities.
for more information, visit http://www.dep.state.fl.us/waste/categories/solid_waste/default.htm

UST-FL: Underground Storage Tank site
The Storage Tank Regulation Section is part of the Bureau of Petroleum Storage Systems in the Florida Department of Environmental Protection's (FDEP) Division of Waste Management for underground and aboveground storage tank systems. Over 28,000 facilities have reported discharges of petroleum products from storage tank systems.
for more information, visit http://www.dep.state.fl.us/waste/categories/tanks/default.htm

SPILL-FL: State Emergency spill/discharge site
Includes incidents involving petroleum spills caused by vehicle accidents to chemical plant explosions to coastal oil spills, to ensure threats to the environment and human safety are quickly and effectively addressed.
for more information, visit http://www.dep.state.fl.us/law/ber/

IC-FL: Institutional Control Registry site
An institutional control site is a site that has certain restrictions on the property. For example, a site may be cleaned up to satisfy commercial contamination target levels. An institutional control may be placed on that property indicating that it may only be used for commercial levels. If the owner of the property ever wants to use that property for residential purposes, the owner will have to ensure that the contamination meets residential target levels.
for more information, contact bryan.barron@dep.state.fl.us

ERP-FL: Environmental Permit site
The Historic Environmental Resource Permits data layer is a subset of the Permitting Application Tracking System (PATS) and represents a geographical location for projects that were permitted by the Department of Environmental Protection, Office of Submerged Lands and Environmental Resource Permitting throughout the state of Florida from 1974 through 1997. The lat/long data was updated in 2007.
for more information, contact Kate.grosmaire@dep.state.fl.us

Data Date: 02/03/09 Request Date: 02/22/09
Data Date: 12/08 Request Date: 02/05/09
Data Date: 10/22/09 Request Date: 10/30/09
Data Date: 08/03/08 Request Date: 01/05/09
Data Date: 10/22/09 Request Date: 10/30/09
Data Date: 08/03/08 Request Date: 01/05/09
Data Date: 10/22/09 Request Date: 10/30/09
Data Date: 8/3/08 Request Date: 01/05/09
Data Date: 7/25/08 Request Date: 01/05/09
Data Date: 11/28/07
APPENDIX F

INTERVIEW DOCUMENTATION
ENVIRONMENTAL SITE OBSERVATION GUIDE & INTERVIEW INFORMATION
& TRANSACTION SCREEN QUESTIONNAIRE

Site Name: FGU Vacant Lot
Address/Location: College Club Loop, Fort Myers, Florida
Site Interview(s) with: Frank Poteste
Completed by: Richard G. Steele

Job No.: 11-028
Date: 3/21/11

The observation guide follows the ASTM due diligence definition in scope, purpose, and intent. SEC conducts the following observations during each site reconnaissance. However, each site has unique characteristics and a standard checklist may restrict subjective analysis. Thus, notes were made and photographs were taken where necessary for each observation.

A. GENERAL SITE OBSERVATIONS
1. Property Description: approx. 20 acres
   - (xx) undeveloped land
   - (xx) # buildings = 0
   - (xx) unoccupied
   - (xx) fenced
   - ( ) occupied
   - ( ) septic system
   - ( ) floor drains
   - ( ) city sewer
   - ( ) well water
   - (X) boundaries identified

2. Land Use(s): Vacant Lot

3. Former Land Use(s): vacant

4. B. SPECIFIC SITE OBSERVATIONS:

   PROPERTY CONDITION
   LOCATION AND SIGNIFICANCE

1. Underground storage tanks vent pipes or fill caps
   - None Observed

2. Aboveground storage tanks and containment
   - None Observed

3. Discolored ground and/or stressed vegetation
   - None Observed

4. Storage containers and/or 55 gallon drums
   - None Observed

5. Liquids (standing, flowing discolored, odorous)
   - None Observed

6. Odors (solvent, petroleum, etc.)
   - None Observed

7. Hills, mounds, depressions, or evidence of burial
   - None observed

8. Evidence of heavy equipment or truck activity
   - None Observed

9. Septic Tank, drainfield, odors
   - None Observed

10. Age of building(s), potential asbestos (ACM)
    - 19

11. Raw materials transportation area, shipping/receiving
    - No evidence of contamination observed

12. Potentially hazardous substances used
    - No evidence of contamination observed

13. Hazardous waste generation, quantity, permits
    - None Observed

14. Hazardous waste treatment, storage, and disposal
    - No evidence of contamination observed
15. Chemical spills, leaks, or releases and quantity
   None Observed
16. Electrical transformers or capacitors and PCB's
   No evidence of contamination observed
17. Pesticides, herbicides, pool chemical storage
   No evidence of contamination observed
18. Solid waste disposal, garbage, or dumping
   No evidence of contamination observed
19. Bodies of water; sheens discoloration, or pollution
   No evidence of contamination observed
20. Wastewater treatment operations
   No evidence of contamination observed

Unlisted Observations/Notes:

C. SITE VICINITY
   The adjacent and nearby properties were observed for specific environmental concerns.

PROPERTY CONDITION

Adjacent property, land use description
North:
East:
South:
West:

LOCATION AND SIGNIFICANCE
(Details, distance and direction)

Other facilities suspected of potentially contaminating the site
Dominant land uses
North: Commercial
East: Residential
South: Residential
West: Vacant

Description of Site: Vacant Lot
Address/Location: College Club Loop, Fort Myers, Florida

Question

<table>
<thead>
<tr>
<th>Question</th>
<th>Owner</th>
<th>Occupants</th>
<th>Observed During Site Visit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Is the property used for an industrial use?</td>
<td>Yes</td>
<td>No Unk</td>
<td>Yes No Unk</td>
</tr>
<tr>
<td>2. To the best of your knowledge, has the property or any adjoining</td>
<td>Yes</td>
<td>No Unk</td>
<td>Yes No Unk</td>
</tr>
<tr>
<td>property been used for an industrial use in the past?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Is the property or any adjoining property used as a gasoline station,</td>
<td>Yes</td>
<td>No Unk</td>
<td>Yes No Unk</td>
</tr>
<tr>
<td>motor repair facility, commercial printing facility, dry cleaners,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>photo developing laboratory, junkyard or landfill, or as a waste</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>treatment, storage, disposal, processing, or recycling facility?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Question

4. To the best of your knowledge has the property or any adjoining property been used as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility?

5. Are there currently, or to the best of your knowledge have there been previously, any damaged or discarded automotive or industrial batteries, pesticides, paints or other chemicals in individual containers of greater than 5 gal (19 L) in volume or 50 gal (190 L) in the aggregate, stored on or used at the property or at the facility?

6. Are there currently, or to the best of your knowledge have there been previously, any industrial drums (typically 55 gal [208 L]) or sacks of chemicals located on the property or at the facility?

7. Has fill dirt been brought onto the property that originated from a contaminated site or that is of an unknown origin?

8. Are there currently, or to the best of your knowledge have there been previously, any pits, ponds or lagoons located on the property in connection with waste treatment or waste disposal?

9. Is there currently, or to the best of your knowledge has there been previously, any stained soil on the property?

10. Are there currently, or to the best of your knowledge have there been previously, any registered or unregistered storage tanks (above or underground) located on the property?

11. Are there currently, or to the best of your knowledge have there been previously, any vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground on the property or adjacent to any structure located on the property?

### Table

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<td>4. To the best of your knowledge has the property or any adjoining property been used as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility?</td>
<td>Yes</td>
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<td>5. Are there currently, or to the best of your knowledge have there been previously, any damaged or discarded automotive or industrial batteries, pesticides, paints or other chemicals in individual containers of greater than 5 gal (19 L) in volume or 50 gal (190 L) in the aggregate, stored on or used at the property or at the facility?</td>
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<td>6. Are there currently, or to the best of your knowledge have there been previously, any industrial drums (typically 55 gal [208 L]) or sacks of chemicals located on the property or at the facility?</td>
<td>Yes</td>
<td>No</td>
<td>Unk</td>
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<td>7. Has fill dirt been brought onto the property that originated from a contaminated site or that is of an unknown origin?</td>
<td>Yes</td>
<td>No</td>
<td>Unk</td>
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<td>8. Are there currently, or to the best of your knowledge have there been previously, any pits, ponds or lagoons located on the property in connection with waste treatment or waste disposal?</td>
<td>Yes</td>
<td>No</td>
<td>Unk</td>
</tr>
<tr>
<td>9. Is there currently, or to the best of your knowledge has there been previously, any stained soil on the property?</td>
<td>Yes</td>
<td>No</td>
<td>Unk</td>
</tr>
<tr>
<td>10. Are there currently, or to the best of your knowledge have there been previously, any registered or unregistered storage tanks (above or underground) located on the property?</td>
<td>Yes</td>
<td>No</td>
<td>Unk</td>
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<td>11. Are there currently, or to the best of your knowledge have there been previously, any vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground on the property or adjacent to any structure located on the property?</td>
<td>Yes</td>
<td>No</td>
<td>Unk</td>
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<td>---------------------------</td>
</tr>
<tr>
<td>12. Are there currently, or to the best of your knowledge have there been previously, any flooring, drains or walls located within the facility that are stained by substances other than water or are emitting foul odors?</td>
<td>Yes</td>
<td>No Unk</td>
<td>Yes No Unk</td>
</tr>
<tr>
<td>13. If the property is served by a private well or non-public water system, have contaminants been identified in the well or system that exceed guidelines applicable to the water system or has the well been designated as contaminated by any government environmental/health agency?</td>
<td>Yes</td>
<td>No Unk</td>
<td>Yes No Unk</td>
</tr>
<tr>
<td>14. Does the owner or occupant of the property have any knowledge of environmental liens or governmental notification relating to past or recurrent violations of environmental laws with respect to the property or any facility located on the property?</td>
<td>Yes</td>
<td>No Unk</td>
<td>Yes No Unk</td>
</tr>
<tr>
<td>15. Has the owner or occupant of the property been informed of the past or current existence of hazardous substances or petroleum products or environmental violations with respect to the property or any facility located on the property?</td>
<td>Yes</td>
<td>No Unk</td>
<td>Yes No Unk</td>
</tr>
<tr>
<td>16. Does the owner or occupant of the property have any knowledge of any environmental site assessment of the property or facility that indicated the presence of hazardous substances or petroleum products on, or contamination of, the property or recommended further assessment of the property?</td>
<td>Yes</td>
<td>No Unk</td>
<td>Yes No Unk</td>
</tr>
<tr>
<td>17. Does the owner or occupant of the property know of any past, threatened, or pending lawsuits or administrative proceedings concerning a release or threatened release of any hazardous substance or petroleum products involving the property by any owner or occupant of the property?</td>
<td>Yes</td>
<td>No Unk</td>
<td>Yes No Unk</td>
</tr>
<tr>
<td>18. Does the property discharge waste water on or adjacent to the property other than storm water into a sanitary sewer system?</td>
<td>Yes</td>
<td>No Unk</td>
<td>Yes No Unk</td>
</tr>
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<td>-------</td>
<td>-----------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>19. To the best of your knowledge, have any hazardous substances or petroleum products, unidentified waste materials, tires, automotive or industrial batteries or any other waste materials been dumped above grade, buried and/or burned on the property?</td>
<td>Yes</td>
<td>No</td>
<td>Unk</td>
</tr>
<tr>
<td>20. Is there a transformer, capacitor, or any hydraulic equipment for which there are any records indicating the presence of PCBs?</td>
<td>Yes</td>
<td>No</td>
<td>Unk</td>
</tr>
</tbody>
</table>

The Preparer of the transaction screen questionnaire must complete and sign the following statement. This questionnaire was completed by:

Name: Richard G. Steele, P.G.
Title: President
Firm: Steele Environmental Consulting, Inc.
Address: 8130 Coates Row Place
University Park Florida 34201
Phone number: (941) 355-4395
Date: __________________________

Preparer's relationship to user (i.e., principal, employee, agent, consultant) __________________________

Copies of the completed questionnaire have been filed at: __________________________

Copies of the completed questionnaire have been mailed or delivered to: __________________________

Preparer represents that to the best of the preparer's knowledge the above statements and facts are true and correct and to the best of the preparer's actual knowledge no material facts have been suppressed or misstated.

Signature: [Signature]
Date: 3/21/2011