

**All Appropriate Inquiry (AAI)
Phase I Environmental Site Assessment
per EPA 40 CFR Part 312 & ASTM E 1527-05
Performed at:**

**78.36 Acres Located Between Robinson Drive,
S. 30th Street and Grace Avenue, Haines City, FL 33844
Parcel #s: 27-27-34-000000-03-10-10, 27-27-34-000000-03-10-20,
27-27-34-000000-30-30 and 27-27-34-000000-30-10
For: Mr. Geoffrey McConnell
Bank of Montreal, Harris N.A. and their affiliates.
Benchmark Project #08535**



BENCHMARK ENVIRONMENTAL SERVICES, INC.

December 23, 2008

Mr. Geoffrey McConnell
Bank of Montreal, Harris N.A. and their affiliates
115 S. LaSalle Street
112 West
Chicago, Illinois 60603

Subject: All Appropriate Inquiry (AAI), Phase I Environmental Site Assessment per EPA 40 CFR Part 312 & ASTM E 1527-05 Performed at: 78.36 Acres Located Between Robinson Drive, S. 30th Street and Grace Avenue, Haines City, FL 33844. Parcel #s: 27-27-34-000000-03-10-10, 27-27-34-000000-03-10-20, 27-27-34-000000-30-30 and 27-27-34-000000-30-10 - Benchmark Project # 08535

Dear Mr. McConnell:

Per your request, Benchmark Environmental Services, Inc. (Benchmark) performed an Appropriate Inquiry (AAI) Phase I Environmental Site Assessment per EPA 40 CFR Part 312 & ASTM E 1527-05 of the property located at the above referenced property. The on-site reconnaissance of the subject property was performed on December 15, 2008. In evaluating the property, Benchmark ascertained whether any environmental hazards or liabilities might exist on or around the site that would represent a potential risk or financial liability to a buyer, or a lending institution with interest in the property.

Benchmark, in conducting this assessment, utilized due diligence coupled with our many years of experience to assess this property.

If you should have any questions regarding this report, please feel free to contact the undersigned at 1-800-400-5811.

Sincerely,

BENCHMARK ENVIRONMENTAL SERVICES, INC.

William J. Liniewicz, Master C.H.M.M.
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Principal

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1.0 – EXECUTIVE SUMMARY

Benchmark Environmental Services, Inc. (Benchmark) was retained by Mr. Patrick Malone of Chapman & Cutler, LLP, Chicago, Illinois to perform an All Appropriate Inquiry (AAI), Phase I Environmental Site Assessment per EPA 40 CFR Part 312 & ASTM E 1527-05 on 78.36 acres located between Robinson Drive, S. 30th Street and Grace Avenue, Haines City, Florida, 33844. Parcel #s: 27-27-34-000000-03-10-10, 27-27-34-000000-03-10-20, 27-27-34-000000-30-30 and 27-27-34-000000-30-10 as required by Mr. Geoffrey McConnell of Bank of Montreal, Harris N.A. and their affiliates.

William J. Liniewicz, CHMM, Principal, conducted the on-site reconnaissance on December 15, 2008. Benchmark personnel was unescorted throughout the subject site property.

The subject site property consists of approximately 78.36 acres (3,413,362 square feet) of vacant land comprised of mainly grassy/weedy vegetation. Benchmark personnel observed an approximately fifteen (15) foot high sand/soil stockpile at the northwest corner of the subject site, there is a smaller gravel stockpile south of the sand/soil stockpile. There is a locked chain-link fenced-in area at the west-central side of the subject site, inside the chain-link fence, Benchmark observed an unlabeled 55-gallon drum and the foundation from a former residence. At the southwest corner of the subject site, there are two (2) utility construction storage areas for water and sewer pipes. There were six (6) former water well pumps throughout the subject site, these wells were removed approximately two (2) years ago. At the northeast corner of the property is the foundation for a former silo or water well.

There was a small farmstead where the current fenced-in area is. The farmstead consisted of a pole-barn, garage and a house. No other signs of former construction or hazardous dumping were noted at the subject site. According to the Polk County Tax Assessor, this property was originally developed as a citrus orchard.

*Based on the onsite inspection, historical research, database review, interviews and other available sources, **"Recognized Environmental Conditions" were revealed at the subject site property.***

However, according to the City of Haines City Code Officer, Mr. Thomas Whittle, the former farmstead at the east-central end of the subject site had aboveground storage tank (AST). Mr. Zeke Taylor, the neighbor at 3500 Grace Avenue, adjacent north of the subject site, stated that he remembers the former gasoline AST being present.

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-Executive Summary Continued-

Benchmark were informed by Mr. Ben Crosby of Crosby & Associates, the broker for the transaction from McTeer to Tollefson, that arsenic and pesticide contamination were present at the subject site. Benchmark were then supplied with a prior Phase I Environmental Site Assessment (performed July 12, 2004) and a Phase II Subsurface Investigation (performed July 29, 2004). Elevated levels of Arsenic and pesticides were encountered in this study. According to Mr. Crosby, remedial activities have not been performed.

- The Phase II performed by Universal Engineering confirmed contamination from arsenic and pesticides above the Soil Cleanup Toxic Limit (SCTL) and a further remedial investigation must be performed to delineate the extent prior to any use of the subject site property.
- Benchmark recommends further investigation to delineate the areas of arsenic and pesticide contamination to determine the extent of the necessary remedial activities.
- Benchmark will provide a scope of work proposal for the above recommendations at the request of the client.

2.0 – INTRODUCTION

Benchmark Environmental Services, Inc. (Benchmark) was retained by Mr. Patrick Malone of Chapman & Cutler, LLP, Chicago, Illinois to perform an All Appropriate Inquiry (AAI), Phase I Environmental Site Assessment per EPA 40 CFR Part 312 & ASTM E 1527-05 on 78.36 acres located between Robinson Drive, S. 30th Street and Grace Avenue, Haines City, Florida, 33844. Parcel #s: 27-27-34-000000-03-10-10, 27-27-34-000000-03-10-20, 27-27-34-000000-30-30 and 27-27-34-000000-30-10 as required by Mr. Geoffrey McConnell of Bank of Montreal, Harris N.A. and their affiliates.

This survey is an initial step in the examination of the possible environmental risks and liabilities that may exist on this site. Whenever our review reveals any irregularities requiring a more active auditing of the property, we will recommend specific actions necessary to fully evaluate those unusual situations.

2.1 – Purpose

The purpose of this study is to identify any "Recognized Environmental Conditions" in association with the property or adjacent properties that may be impacting the subject site as required for financial documentation.

2.2 – Detailed Scope of Services

- On-Site Reconnaissance
- Surrounding Site Usage
- Aerial Photographs
- Interviews
- Engineering and / or Institutional Controls
- Historical Resource Investigation
- Regulatory Status and Environmental Conditions
- Air Emissions
- Water Sources and Discharges
- Storm Water Discharges
- Hazardous Wastes and Materials/Petroleum Products/Wastes
- Underground Storage Tanks/Above Ground Storage Tanks
- Asbestos
- Polychlorinated Biphenyls (PCBs)
- Soil Conditions
- Wetland Conditions
- Surrounding Regulatory Sites
- Data Gaps

2.3 – Significant Assumptions, Limitations and Exceptions

The Phase I Environmental Assessment detailed in this report has been performed in accordance with generally accepted methods and practices of the environmental consulting profession. This report was performed in accordance with the All Appropriate Inquiry (AAI), per EPA 40 CFR Part 312 & ASTM E 1527-05. The scope and depth of this study were as directed, and agreed to, by the client.

Benchmark uses experienced and trained professionals in attempting to locate and identify hazardous materials or conditions. We do not warrant that all such materials have been identified. It is possible that some materials containing a hazardous substance were not visible or accessible to the surveyor or for various other reasons were not sampled.

All findings are based on a visual on-site inspection, historical research, interviews and regulatory record review. These findings are not to be considered scientific certainties. The intent of this study was to identify environmental concerns that would be obvious to a skilled, knowledgeable professional, applying accepted standards. This report is not intended to represent an exhaustive research of all potential hazards that may exist at these sites.

This report also does not purport to be representative of future conditions or events. Activities, which transpire subsequent to this report, which result in adverse environmental impacts, are not to be construed as relevant to this study.

2.4 – Terms and Conditions (User Reliance)

This report has been performed for the exclusive use of the client. Our report and its findings shall not, in whole or part, be disseminated to any other party, nor be used by any other party without prior written consent by Benchmark Environmental Services, Incorporated and the client.

3.0 – SITE DESCRIPTION

3.1 – Location and Legal Description

Parcel Numbers: 27-27-34-000000-03-10-10, 27-27-34-000000-03-10-20, 27-27-34-000000-30-30 and 27-27-34-000000-30-10.

Abbreviated Legal Description: (East & West ½ of the Northeast ¼ and East & West ½ of the Northwest ¼) of the Northwest ¼ of Section 34, Township 27 South, Range 27 East.

Location: The property is located east of S. 30th Street, between Robinson Drive and Grace Avenue.

3.2 – Site Characteristics

The subject site property consists of approximately 78.36 acres (3,413,362 square feet) of vacant land comprised of mainly grassy/weedy vegetation. Benchmark personnel observed an approximately fifteen (15) foot high sand/soil stockpile at the northwest corner of the subject site, there is a smaller gravel stockpile south of the sand/soil stockpile. There is a locked chain-link fenced-in area at the west-central side of the subject site, Benchmark observed an unlabeled 55-gallon drum and the foundation from a former residence. At the southwest corner of the subject site, there are two (2) utility construction storage areas for water and sewer pipes. There were six (6) former water well pumps throughout the subject site, these wells were removed approximately two (2) years ago. At the northeast corner of the property is the foundation for a former silo or water well.

Surrounding sites include single-family residential properties, a public high school, citrus orchards and vacant land.

3.3 – Current Use of the Property

Currently, the subject site is vacant land.

3.4 – Description of Subject Site Property Improvements

There is a chain-link fence surrounding the foundation of a former farmhouse. There are the foundations of six (6) former water wells throughout the subject site.

3.5 – Current Uses of Adjoining Properties

The area surrounding the subject site was observed in an effort to determine if practices on the surrounding properties could have a negative environmental impact to the subject site.

The subject site is currently surrounded by the following:

North: The subject site is bordered to the north by Grace Avenue, beyond which are a citrus orchard and single-family residences (3500-3570 Grace Avenue).

South: The subject site is bordered to the south by Robinson Drive, beyond which is vacant, former agricultural land.

East: The subject site is bordered to the east by a citrus orchard.

West: The subject site is bordered to the west by S. 30th Street, beyond which is the Haines City High School.

The surrounding properties do not visually appear to pose an environmental concern to the subject site. No exterior storage of hazardous materials and / or waste was observed on the adjacent properties.

4.0 – User Provided Information:

4.1 – Title Records:

Benchmark Environmental was not provided with any title records from the client. According to contractual agreements between Benchmark and the client, Benchmark did not search for the site's title records.

4.2 – Environmental Liens or Activity and Land Use Limitations

No information concerning environmental liens or activity and land use limitations was provided to Benchmark in conjunction with the subject site. An environmental lien search was beyond the scope of this report, therefore was not performed.

4.3 – Specialized Knowledge

No specialized knowledge was made available to Benchmark during the course of this assessment.

4.4 – Commonly Known or Reasonably Ascertainable Information

The client provided Benchmark with an overview of information regarding the subject site including previous use and the current owner's name.

4.5 – Valuation Reduction

Section 6 of ASTM 1527-05 outlines "user responsibilities." In valuation reduction (Section 6.5), the user is responsible for considering the relationship of the purchase price of the property to the fair market value of the property if the property was/is not affected by hazardous substances or petroleum products. If a concern is found, the user should provide written documentation to the environmental professional(s) for use in the Phase I ESA.

4.6 – Owner, Property Manager and Occupant Information

Benchmark was informed that the owner of the subject site property is Tollefson Development of Florida Inc.

4.7 – Reason for Performing Phase I

The client informed Benchmark that the reason for performing this Phase I was mainly for financial documentation, however, if recognized environmental conditions were revealed, the report will qualify for US EPA CERCLA Liability Protection.

5.0 – Records Review:

5.1 – Standard Environmental Records Sources:

To establish a history of the subject site, Benchmark Environmental Services Inc., consulted sources such as the City of Haines City, the Polk County Assessors Office, Polk County Survey and Mapping, FirstSearch Technology Corp., TerraServer Images (on-line aerial database), Google Earth, US Fish & Wildlife Service and personal interviews.

5.1.1- Regulatory List Status Review

Benchmark retained Firstsearch Technology Corp., to conduct a search of all-applicable state and federal databases, with regards to environmental issues. Firstsearch Technology Corp. maintains an up to date database of all regulatory lists required by the ASTM Standards for Environmental Site Assessments. The various state and federal regulatory agencies lists have been reviewed to determine if information was present in their files concerning environmental complaints associated with the subject property or surrounding sites. The following agency lists have been reviewed with the indicated results:

(Distances demonstrated in this search may be more or less from the subject site as recorded in this report).

The Florida Department of Environmental Protection (FDEP) Underground Storage Tank "UST" Listing (06/08) was reviewed. The following USTs were registered for facilities near the subject site.

No sites were listed within one-quarter (0.25) mile radius of the subject site.

Leaking Underground Storage Tanks "LUST" (10/08) List was reviewed. The Florida Department of Environmental Protection database listing of all LUST as maintained by the FDEP LUST Department.

Two sites were listed within one-half (0.50) mile radius of the subject site.

William G Roe & Co. Inc.-Coward PU	Roe Road	0.39 mi SE
William G Roe & Co. Inc.-Coward GR	Roe Road	0.39 mi SE

Based on a review of distance, direction, and physical considerations of geological and hydrogeological factors, these sites are not likely to have an impact on the subject site.

The USEPA Resource Conservation Recovery Act (RCRA) List of Small and Large Generators (9/08) was reviewed. The EPA's database of RCRIS sites that create more than 1000 kg / month of non-acutely hazardous waste (or 1 kg / month of acutely hazardous waste) or RCRA requirements. Included are RAATS (RCRA Administrative Action Tracking System) and CMEL (Compliance Monitoring & Enforcement List).

No sites were listed within one-quarter (0.25) mile radius of the subject site.

The National Priorities List (NPL) (10/08) was reviewed. The National Priorities List (NPL) is the EPA's database of confirmed or proposed Superfund sites.

No sites were listed within a one-mile radius of the subject site.

The National Priorities List Subset (10/08) was reviewed. The National Priorities List subset is the database of delisted Superfund sites.

No sites were listed within one-half (0.50) mile radius of the subject site.

The Emergency Response Notification System (ERNS) (11/08) List was reviewed. The EPA's database of emergency response actions.

No sites were listed within one-quarter (0.25) mile radius of the subject site.

Comprehensive Environmental Response Compensation and Liability Information System Archived Sites (NFRAP) (10/08) list was reviewed. The EPA's database of Archive designated CERCLA sites that, to the best of EPA's knowledge, assessment has been completed and has determined no further steps will be taken to list this site on the National Priorities List (NPL).

No sites were listed within one-half (0.50) mile radius of the subject site.

The EPA Resource Conservation and Recovery Information System Corrective Action (RCRA COR) Sites list (9/08) was reviewed. The EPA maintains this database of RCRIS sites with reported correction action.

No sites were listed within one (1.00) mile radius of the subject site.

The EPA Resource Conservation and Recovery Information System Treatment, Storage, and Disposal Facilities (RCRA TSD) Sites List (9/08) was reviewed. The EPA's database RCRIS sites, which includes generation, storage, transportation, treatment or disposal of hazardous waste.

No sites were listed within a one-half (0.50) mile radius of the subject site.

Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) Listing (10/08) was reviewed. The EPA's database of current and potential Superfund sites currently or previously under investigation.

No sites were listed within a one-half (0.50) mile radius of the subject site.

Indian Lands of the United States (12/05) were reviewed. This database includes areas with boundaries established by treaty, statute, and (or) executive or court order, recognized by the Federal Government as territory in which American Indian tribes have primary governmental authority.

No sites were listed within a one (1.00) mile radius of the subject site.

State / Tribal Institutional Control (IC) Site Remediation Program Database (11/08) was reviewed, this database includes all voluntary remediation projects administered through the Pre-Notice Site Cleanup Program (1989 to 1995) and the Site Remediation Program (1996 to present). These sites are included only if they have an institutional control place upon them.

No sites were listed within a one-quarter (0.25) mile radius of the subject site.

State / Tribal Engineering Control (EC) Site Remediation Program Database (11/08) was reviewed, this database includes all voluntary remediation projects administered through the Pre-Notice Site Cleanup Program (1989 to 1995) and the Site Remediation Program (1996 to present). These sites are included only if they have an engineering control place upon them.

No sites were listed within a one-half (0.50) mile radius of the subject site.

State/Tribal SWL – Active and Historic Licensed Solid Waste Landfills List (08/08) was reviewed, which is a database of active and closed permitted solid waste landfills. The data includes information regarding site location and type.

No sites were listed within a one-half (0.50) mile radius of the subject site.

Federal EC / IC Engineering Control / Institutional Control - Brownfield Management System (BMS) (10/08) was reviewed, which is a database designed to assist EPA in collecting, tracking, and updating information, as well as reporting on the major activities and accomplishment of the various Brownfield grant Programs. These sites are included in this database only if they have an institutional or engineering control placed upon them.

No sites were listed within a one-half (0.50) mile radius of the subject site.

A copy of the FirstSearch™ Technology Corporation Environmental Report is included in the Appendices section of this report.

5.2 – Additional Environmental Records Sources

Benchmark was provided with a copy of the prior Phase I Environmental Site Assessment performed at the subject site property. The following recommendations were made:

Based on the findings of this Phase I ESA conducted in accordance with American Society for Testing and Materials (ASTM) format E1527-00, we conclude the following:

1. There is a potential for adverse impacts to the soil and/or groundwater at the subject property related to the discharge of motor oil from an approximately 200-gallon trailer mounted motor oil AST observed within the barn in the northern portion of the maintenance area located in the northwest portion of the subject property.

There is a potential for adverse impacts to the soil and/or groundwater at the subject property related to the discharge of motor oil and/or spray oil from an approximately 300-gallon trailer mounted motor oil AST and an approximately 300-gallon trailer mounted spray oil AST observed underneath the pole barn in the southern portion of the maintenance area located in the northwest portion of the subject property.

There is a potential for adverse impacts to the soil and/or groundwater at the subject property related to the discharge of diesel fuel observed beneath a tractor located to the west of the two diesel fuel ASTs within the aforementioned pole barn.

There is a potential for adverse impacts to the soil and/or groundwater at the subject property related to a discharge of diesel fuel which occurred to the southwest of the barn located in the northern portion of the maintenance area in the northwest portion of the subject property.

There is a potential for adverse impacts to the soil at the subject property from the mixing of pesticides which may have been conducted in the maintenance area and in the vicinity of the irrigation wells and located throughout the subject property.

We found no other evidence of recognized environmental conditions with respect to past uses of the subject property or adjoining parcels based on our field observations, historical research, and public records review.

2. The barn located in the northern portion of the maintenance area contained one approximately 200-gallon trailer mounted motor oil AST, one approximately 300-gallon trailer mounted AST used for fertilizer/pesticide applications, three empty plastic 55-gallon drums, and multiple motor oil and gasoline containers.

The pole barn located in the southern portion of the maintenance area contained one approximately 300-gallon trailer mounted motor oil AST, one approximately 300-gallon

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trailer mounted spray oil AST, one approximately 300-gallon and one approximately 200-gallon diesel fuel ASTs, and two approximately 250-gallon ASTs (totes).

An approximately 1,000-gallon AST containing liquid fertilizer is located in the northeast corner of the maintenance area.

The interior of the storage room, associated with the pole barn, consisted of multiple containers of fertilizers and two approximately 25-gallon drums of liquid fertilizer.

We found no other evidence of petroleum product or hazardous materials storage or use at the subject property.

3. We found no evidence indicating the presence of underground storage tanks (USTs), polychlorinated biphenyls (PCBs), drinking water wells, seeps, illegal dumping, unusual odors, or stressed vegetation on the subject property or on adjoining parcels based on our field observations, interviews, and historical and public records review.
4. There are no facilities adjoining the subject property that have registered USTs present. Evidence exists indicating the presence of two leaking UST (LUST) facilities located within the ASTM minimum search distance of one-half mile for LUST sites. These two facilities involve William G Roe & Co. Inc.-Coward Grove and William G Roe & Co. Inc.-Coward Pumph, and both facilities are located along Roe Road, approximately 1,500 feet west of the subject property. Based on our experience, contaminated groundwater at sites in West-Central Florida rarely migrates greater than 1,000 feet. Based on the substantial distance from the subject property, there is a low potential for these two LUST sites to have adversely impacted the groundwater at the subject property.
5. No evidence exists indicating the presence of facilities within the ASTM minimum search distances that formerly or currently generate(d) hazardous waste or use(d) hazardous materials based on our regulatory agency contact and field observations.

Based on the results of the Phase I ESA conducted at the subject property, the following recognized environmental conditions have been identified in connection with the subject property which warrant further assessment:

There is a potential for adverse impacts to the soil and/or groundwater at the subject property related to the discharge of motor oil from an approximately 200-gallon trailer mounted motor oil AST observed within the barn in the northern portion of the maintenance area located in the northwest portion of the subject property.

There is a potential for adverse impacts to the soil and/or groundwater at the subject property related to the discharge of motor oil and/or spray oil from an approximately 300-gallon trailer mounted motor oil AST and an approximately 300-gallon trailer mounted spray oil AST observed underneath the pole barn in the southern portion of the maintenance area located in the northwest portion of the subject property.

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There is a potential for adverse impacts to the soil and/or groundwater at the subject property related to the discharge of diesel fuel observed beneath a tractor located to the west of the two diesel fuel ASTs within the aforementioned pole barn.

There is a potential for adverse impacts to the soil and/or groundwater at the subject property related to a discharge of diesel fuel which occurred to the southwest of the barn located in the northern portion of the maintenance area in the northwest portion of the subject property.

There is a potential for adverse impacts to the soil at the subject property from the mixing of pesticides which may have been conducted in the maintenance area and in the vicinity of the irrigation wells and located throughout the subject property.

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78.36 Acres Located Between Robinson Dr., S. 30th St. and Grace Ave. Haines City, Florida, 33844
Parcel #s: 27-27-34-000000-03-10-10, 27-27-34-000000-03-10-20, 27-27-34-000000-30-30 and
27-27-34-000000-30-10 - Benchmark Project # 08535

Benchmark was provided with a copy of the prior Phase II Subsurface Investigation performed at the subject site property. The following recommendations were made:

SOIL ASSESSMENT

Soil Screening

On July 19, 2004, UES conducted hand auger borings at two locations (HAB-1 and HAB-2) in the vicinity of the approximately 200-gallon trailer mounted motor oil AST observed within the barn in the northern portion of the maintenance area and four hand auger borings (HAB-3 through HAB-6) in the vicinity of the two approximately 300-gallon trailer mounted spray oil ASTs observed beneath the pole barn in the southern portion of the maintenance area. Two hand auger borings were conducted at each of the ASTs. It should be noted that during the Ph II ESA, it was revealed that both of these ASTs actually contained spray oil. On the same date, UES conducted four hand auger borings (HAB-7 through HAB-10) beneath the tractor located to the west of the two diesel fuel ASTs within the pole barn and four hand auger borings (HAB-11 through HAB-14) in the vicinity of the discharge of diesel fuel which occurred to the southwest of the barn. Four hand auger borings were conducted at each of these locations. The soil boring locations are shown on the Soil Sample Location Plan presented as Figure 1.

Soil samples were obtained at each location at one-foot intervals to a depth of three feet below land surface (bls). The soil samples were placed in clean 16-ounce sample jars. The soil screening process was accomplished using a calibrated hand-held Organic Vapor Meter (OVM) photoionization detector (PID) Model 580B. The OVM is useful for detecting volatile organic compounds (VOCs) in the headspace of a soil container to a lower limit of 1 ppm calibration gas equivalent. Before screening the soil samples collected from the hand auger borings, we checked the OVM to ensure proper functioning. We placed each soil sample in a 16-ounce jar, filling it approximately half full. Aluminum foil was used to cover the jar, thus allowing for easy penetration into the headspace by the OVM probe. The soil screening results are summarized in Table 1.

None of the soil samples collected from hand auger borings HAB-1 through HAB-14 registered OVM readings of greater than 1 ppm. Spray oil stained soil and odors were observed in the soil samples collected in the vicinity of the spray oil ASTs to a depth of two feet bls. No petroleum odors were observed in the soil samples collected in the vicinity of the approximately 200-gallon trailer mounted motor oil AST, underneath the tractor, or in the vicinity of the discharge of diesel fuel. According to Mr. Samuel Pineda, site manager of the subject property, the diesel fuel impacted soils observed underneath the tractor during the Phase I ESA had been excavated and properly removed from the subject property. Since no adverse impacts to the soil were observed in hand auger borings conducted in the vicinity of the approximately 200-gallon trailer mounted motor oil AST, beneath the tractor, or in the vicinity of the diesel fuel discharge, and since the spray oil stained soil observed in the vicinity of the approximately 300-gallon trailer mounted motor oil AST and the approximately 300-gallon trailer mounted spray oil AST did not extend to a depth of greater than two feet bls, groundwater sampling and analysis does not appear to be warranted in these areas.

POTENTIAL PESTICIDE IMPACTS

In order to evaluate for adverse impacts to the soil at the subject property from the mixing of pesticides which may have been conducted in the vicinity of the irrigation wells located throughout

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the subject property and in the maintenance area, UES obtained a total of six surficial composite soil samples (SS-1 through SS-6) on July 19, 2004. The composite soil samples involved obtaining four grab soil samples (e.g. SS-1A through SS-1D) and combining the soil samples in a decontaminated stainless steel bowl. Soil sample locations SS-1 through SS-3 are shown on the Soil Sample Location Plan presented in Figure 2 and soil samples SS-4 through SS-6 are shown on the Soil Sample Location Plan presented in Figure 3. Soil samples SS-1 and SS-2 were obtained in the vicinity of the two irrigation wells located in the western portion of the subject property, south of the maintenance area, and soil sample SS-3 was obtained in the vicinity of the irrigation well located in the northeast portion of the subject property. Soil samples SS-4 through SS-6 were obtained in the maintenance area. Each surficial soil sample was collected from a depth of 0 to 1 feet bls, using a decontaminated stainless steel hand auger. The sampling containers were placed on wet ice and transported to Test America Inc. Laboratories in Orlando, Florida. The soil samples were analyzed for organochlorine pesticides using EPA Method 8081, ethylene dibromide (EDB) using EPA Method 8260, and total arsenic, cadmium, chromium and lead.

The laboratory results are presented in Appendix A and summarized in Table 1.

TABLE 1
Soil Analysis Summary (July 19, 2004)

Parameter	SS-1	SS-2	SS-3	SS-4	SS-5	SS-6	SCTL
arsenic	BDL	BDL	BDL	BDL	BDL	26.5	0.8
cadmium	2.305	2.19	1.185	3.125	2.57	4.455	75
chromium	5.55	5.85	2.46	12.55	5.9	15.7	210
lead	12.35	17.0	3.25	16.20	19.25	162.0	400
4,4' - DDD	BDL	BDL	BDL	BDL	0.04333	BDL	4.6
4,4' - DDE	BDL	0.039	BDL	0.07767	0.4233	1.480	3.3
4,4' - DDT	BDL	0.008	BDL	0.02367	0.6667	1.233	3.3
dieldrin	BDL	BDL	BDL	BDL	0.003667	BDL	0.07
endosulfan sulfate	BDL	BDL	BDL	BDL	BDL	2.347	—
alpha-chlordane	BDL	BDL	BDL	0.004667	0.02333	0.440	—
gamma-chlordane	0.001667	0.002333	BDL	0.004	0.03667	0.5333	—
chlordane	BDL	BDL	BDL	0.06833	0.4133	5.64	3.1

- BDL Below Laboratory Detection Limits
- Direct Exposure Residential Soil Cleanup Target Level (SCTL) in accordance with FAC 62-777
- Not listed compounds under FAC 62-777
- Exceedances of SCTL shown in bold
- All results and target levels listed in milligrams per kilogram (mg/kg)

The laboratory detected an arsenic concentration of 26.5 milligrams per kilogram (mg/kg) in the composite soil sample SS-6, which was obtained in the vicinity of an empty AST located within the barn in the maintenance area. The detected arsenic concentration exceeds the Florida Administrative Code (FAC) 62-777 Direct Exposure Residential Soil Cleanup Target Level (SCTL) of 0.8 mg/kg for arsenic. Arsenic was not detected above laboratory detection limits in each of the

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remaining composite soil samples. Trace concentrations of cadmium, chromium and lead were detected by the laboratory in each of the composite soil samples at levels which do not exceed the Direct Exposure Residential SCTLs for these metals.

The laboratory detected a chlordane concentration of 5.64 milligrams per kilogram (mg/kg) in the composite soil sample SS-6. The detected chlordane concentration exceeds the FAC 62-777 Direct Exposure Residential SCTL of 3.1 mg/kg for chlordane. Trace concentrations of chlordane were detected in composite soil samples SS-4 and SS-5, at levels which do not exceed the Direct Exposure Residential SCTL. Chlordane was not detected above laboratory detection limits in composite soil samples SS-1 through SS-3.

The laboratory detected trace concentrations of 4,4'-DDD and dieldrin in composite soil sample SS-5 at levels which do not exceed the Direct Exposure Residential SCTL for these compounds. The laboratory detected trace concentrations of 4,4' - DDE and 4,4' - DDT in composite soil samples SS-2 and SS-4 through SS-6 at levels which do not exceed the Direct Exposure Residential SCTL for these compounds.

The laboratory detected endosulfan sulfate in composite soil sample SS-6, alpha-chlordane in composite soil samples SS-4 through SS-6 and gamma-chlordane in each composite soil sample except for SS-3. Endosulfan sulfate, alpha-chlordane and gamma-chlordane are not listed compounds under FAC 62-777. No other EPA Method 8081 organochlorine pesticide compounds were detected above the laboratory detection limits in each of the composite soil samples.

EDB was not detected above laboratory detection limits in each of the composite soil samples.

CONCLUSIONS AND RECOMMENDATIONS

Based on the results of the Limited Phase II ESA conducted at the subject property, we conclude the following:

Spray oil stained soil and odors were observed in the soil samples collected in the vicinity of the spray oil ASTs to a depth of two feet bls. We recommend excavation and proper disposal of the spray oil stained soils.

The laboratory detected arsenic and chlordane in composite soil sample SS-6 at concentrations which exceed the Direct Exposure Residential SCTLs for these compounds. Additional soil sampling and analysis is recommended in this area in order to evaluate the horizontal and vertical extent of arsenic and chlordane impacted soils. Should the arsenic and chlordane impacted soils be found to extend horizontally beyond the cover of the barn, groundwater sampling and analysis may be required.

Please be advised that, per FAC 62-777.150(1), the referenced SCTLs are applicable to brownfield site rehabilitation, petroleum contaminated sites, drycleaning solvent contaminated sites, and to the treatment of soil at permitted soil thermal treatment facilities only. The past use of the subject property for agricultural use is not included in any of these defined types of sites, and accordingly, the referenced SCTLs may not be applicable to this site. However, the referenced levels could be considered reasonable default levels at this time, since we are unaware of any alternate levels advocated by the Florida Department of Environmental Protection (FDEP).

5.3 – Physical Setting Sources

5.3.1 – Soil Conditions

According to the U.S. Department of Agriculture Natural Resource Conservation Service, the subject site area belongs to the Candler Sand (3) Soil Series.

The Candler series consists of very deep, excessively drained, rapidly permeable soils on uplands. They formed in thick beds of eolian or marine deposits of coarse textured materials. Thickness of the sand is 80 or more inches. Lamellae are present at depths of 40 to 80 inches. Reaction is very strongly acid to moderately acid throughout. Content of silt plus clay is less than 5 percent and very fine sand less than 20 percent at depths between 10 and 40 inches.

Benchmark did not observe any stressed vegetation or surface staining at the subject site.

Based on the nature of the prior usage of the subject site as a citrus orchard, the use of herbicides and pesticides is probable, however, Benchmark believes that this usage would have minimal environmental impact to the subject site.

5.3.2 – United States Geological Survey (USGS) Topographic Map

Benchmark personnel reviewed the USGS Topographic Map for the subject site. The map illustrated the central portion of the subject site to be the high point, slightly sloping towards the ends of the subject site. The average elevation is approximately 150 feet above mean sea level. Benchmark's observations correlate with the USGS Topographic Map, except for the stockpiles of sand/soil at the northwest corner of the subject site.

Copies of the USDA Soil Survey Map and the USGS Topographic Map for the subject site area are included in the Appendix section of this report.

5.3.3 – Wetland Conditions

Wetlands are areas that are temporarily or permanently inundated by surface or groundwater, and support vegetation adapted for life in saturated soils. Characteristic hydrology, vegetation, and soils define such areas. Typically envisioned as wetlands are marshy, swampy, or tidal areas; however wetlands can occur in any environment and are often found along small streams, irrigation ditches, mud flats, and springs.

The value of wetlands for wildlife habitat, flood control, shoreline stabilization, water purification, and recreation has been recognized and such areas are protected under the Clean Water Act. The U.S. Army Corps of Engineers is responsible for controlling and permitting any activities that disturb wetlands. A "404" Dredge and Fill Permit from the Corps of Engineers is required prior to disturbing a wetland. If the site under investigation has surface water in any form, designation of the land surrounding the water as wetlands is a possibility. Should further investigation identify such areas as wetlands, use of the area may be precluded or regulated under a federal permit. Permitting stipulations commonly require that any disturbed wetland be replaced in another location.

Benchmark did not observe any wetland indicators such as standing water or hydrophytic vegetation on the subject site.

National Wetland Inventory Map

Benchmark personnel reviewed the National Wetland Inventory Map for the subject site area. This map did not illustrate any wetland areas present on the subject site. Benchmark's observations correlate with the National Wetland Inventory Map.

A copy of the National Wetland Inventory Map for the subject site area is included in the Appendix section of this report.

5.4 – Historical Use Information of the Property

5.4.1 – Aerial Photographs

Benchmark personnel obtained the following aerials from these sources: Polk County Survey and Mapping (1964 / 2000), TerraServer Images (1999) and Live Search Maps (Most Recent).

	1964 Aerial Photograph
SUBJECT SITE:	The former farmstead and citrus orchard
NORTH:	A citrus orchard
SOUTH:	A citrus orchard
EAST:	A citrus orchard
WEST:	A citrus orchard

	1999 and 2000 Aerial Photographs
SUBJECT SITE:	The former farmstead and citrus orchard
NORTH:	Grace Avenue, beyond which are a citrus orchard and the current residential properties
SOUTH:	Robinson Drive, beyond which is a citrus orchard
EAST:	A citrus orchard
WEST:	S. 30 th Street, beyond which is the Haines City High School

	Most Recent Aerial Photograph
SUBJECT SITE:	The subject site as observed during Benchmark's site inspection
NORTH:	Grace Avenue, beyond which are a citrus orchard and the current residential properties
SOUTH:	Robinson Drive, beyond which is a citrus orchard
EAST:	A citrus orchard
WEST:	S. 30 th Street, beyond which is the Haines City High School

Copies of the 1964, 1999, 2000 and most recent aerial photographs are included in the Appendix section of this report.

5.4.2 – Sanborn Fire Insurance Maps

Benchmark personnel inquired about Sanborn Fire Insurance Maps for the subject site area from Environmental FirstSearch. Sanborn Fire Insurance Maps were not available for the subject site area.

5.4.3 – City Directories

Benchmark did not inquire about the City Directories for this assessment because other forms of historical research were used throughout this study.

5.4.4 – Assessors Records

The Polk County Assessors Office revealed the following information regarding the subject property:

78.36 Acres Located Between Robinson Dr., S. 30th St. and Grace Ave. Haines City, Florida:

Parcel Number: 272734000000031010:

- Vacant Land
- Year Built: N/A
- Last Sale Date: February, 2006
- 2008 Total Assessed Value: \$99,670

Parcel Number: 272734000000031020:

- Vacant Land
- Year Built: N/A
- Last Sale Date: February, 2006
- 2008 Total Assessed Value: \$100,350

Parcel Number: 272734000000033010:

- Vacant Land
- Year Built: N/A
- Last Sale Date: February, 2006
- 2008 Total Assessed Value: \$86,086

Parcel Number: 272734000000033030:

- Vacant Land
- Year Built: N/A
- Last Sale Date: February, 2006
- 2008 Total Assessed Value: \$105,240

Copies of the Polk County Property Information Cards are included in the Appendix section of this report.

5.5 – Historical Use of Adjoining Properties

Based on the historical material review, the adjacent properties have been used as citrus orchards, single family residential properties and a public school.

6.0 – Site Reconnaissance

6.1 – Methodology and Limiting Conditions

Benchmark personnel surveyed the subject site on December 15, 2008. During our audit, we attempted to assess the regulatory and environmental aspects of the property. Our study focused on the following areas: air emissions, water sources and discharges, stormwater discharges, hazardous wastes and materials, underground storage tanks, asbestos, Polychlorinated biphenyls (PCBs), soil conditions, wetlands, and a regulatory list review of surrounding sites. Benchmark performs the on-site reconnaissance using experienced professionals. The property, improvements and surrounding areas are visually and physically inspected from ground level and normally accessible areas throughout the subject site property.

6.2 – General Site Setting

The subject site property consists of approximately 78.36 acres (3,413,362 square feet) of vacant land comprised of mainly grassy/weedy vegetation. Benchmark personnel observed an approximately fifteen (15) foot high sand/soil stockpile at the northwest corner of the subject site, there is a smaller gravel stockpile south of the sand/soil stockpile. There is a locked chain-link fenced-in area at the west-central side of the subject site, Benchmark observed an unlabeled 55-gallon drum and the foundation from a former residence. At the southwest corner of the subject site, there are two (2) utility construction storage areas for water and sewer pipes. There were six (6) former water well pumps throughout the subject site, these wells were removed approximately two (2) years ago. At the northeast corner of the property is the foundation for a former silo or water well.

There was a small farmstead where the current fenced-in area is. The farmstead consisted of a pole-barn, garage and a house. No other signs of former construction or hazardous dumping were noted at the subject site. This property was originally developed as a citrus orchard. The orchard has been clear-cut for the future development and the stumps are piled at the east-central side of the subject site.

On the chain-link fence Benchmark observed a sign for "Chess Grove Caretaking," the number on the sign is inactive. No further information has been found concerning "Chess Grove Caretaking."

No surface soil staining or stressed vegetation was observed at the subject site.

A copy of the Area Diagram for the subject site is included in the Appendix section of this report.

6.2.1 – Air Emissions

The Clean Air Act (CAA), enacted in 1970 and most recently amended in 1990, seeks to protect the public's health and welfare by safeguarding and improving the quality of our air. Under the CAA, the EPA sets air quality standards and relies on the states to develop programs to attain those standards. While the CAA regulates both "stationary" and "mobile" sources of air pollution, the stationary source restrictions are of primary concern to businesses. All facilities must meet permit requirements, even if that requires new control technologies in new or expanded facilities.

At the time of the onsite inspection, the subject site was vacant land and no sources of air emissions were noted, therefore, air emissions are not currently an environmental concern.

6.2.2 – Water Sources and Discharges

The primary purpose of the Clean Water Act (CWA), enacted in 1948 and most recently amended in 2002, is to "restore and maintain the chemical and biological integrity of the nation's waters." Any company that discharges wastewater into the nation's navigable waters or a public sewer system must comply with CWA permits. The CWA contains extensive enforcement measures. In addition to the "self enforcement" of businesses and publicly owned treatment works (POTWs) imposed by the CWA's monitoring and reporting requirements, the Act includes broad inspection powers and many enforcement approaches, including administrative orders, civil suits, and criminal prosecution.

Water Sources

The subject site is currently vacant with no water sources. Based on the above information, Benchmark believes that the water sources for the subject site are not an environmental concern at this time.

Waste Water Discharges

The subject site is currently vacant with no waste water discharges. Based on the above information, Benchmark believes that the waste water discharges for the subject site are not an environmental concern at this time.

6.2.3 – Storm Water Discharge

On November 16, 1990, the USEPA published its final rule on National Pollutant Discharge Elimination System (NPDES) permitting of storm water discharges. All facilities included under the definition of "storm water discharge associated with industrial activity" must obtain a NPDES permit. Facilities with existing permits will need to revise them to include storm water consideration. NPDES storm water permits will be issued through existing permit authorities. Under this ruling, "storm water discharge associated with industrial activity" is defined as storm water directly related to manufacturing, process or raw materials storage areas at an industrial plant. Regulated storm water includes discharges from industrial yards, immediate access roads, and rail lines used by carriers of raw materials, material handling sites, refuse sites, etc., as described in the rule.

Based upon the current status of the subject site, and current regulations, Benchmark believes storm water permits are not applicable at this time, but may be required for future site development.

6.2.4 – Hazardous Wastes and Materials / Petroleum Products and Wastes

At the time of Benchmark's survey, materials deemed hazardous were surveyed for on the premises. Hazardous materials are evaluated according to provisions set forth by the Resource Conservation and Recovery Act (RCRA) and the Occupational Health and Safety Administration Final Ruling, which require Material Safety Data Sheets (MSDSs) and waste disposal documentation for all materials defined as hazardous under 40 CFR 261.

Hazardous Wastes / Materials

Benchmark personnel did not observe any hazardous wastes or materials at the subject site. However, based on the historical usage of the subject site as a citrus orchard, it should be assumed that there was prior usage of herbicides, pesticides and fertilizers at the subject site.

The contents of the 55-gallon drum inside the chain-link fence are unknown. The drum appears aged and is heavily rusted. Benchmark recommends that this 55-gallon drum be removed from the property and properly disposed of in accordance with all applicable state and local laws.

Petroleum Products / Wastes

Benchmark did not observe any petroleum products or wastes at the subject site.

6.2.5 – Underground Storage Tanks / Aboveground Storage Tanks

Underground Storage Tanks (USTs) and Aboveground Storage Tanks (ASTs) are an environmental concern if leakage or spillage has occurred. Leaking or overfilled USTs/ASTs can contaminate the surrounding soil, as well as the groundwater. Our survey includes a search of the database provided by the Office of the State Fire Marshal (OSFM). We also visually inspect the site for obvious signs of tank placement, such as gas pumps, fill ports, and man ways. Not so obvious tank related items such as vent stacks, petrometers, pipes, valves, raised concrete, etc., are also included in our inspection.

Benchmark did not observe any indications of current or previous USTs and / or ASTs being located at the subject site.

However, according to the City of Haines City Code Officer, Mr. Thomas Whittle, the former farmstead at the east-central end of the subject site had aboveground storage tank (AST). Mr. Zeke Taylor, the neighbor at 3500 Grace Avenue, adjacent north of the subject site, stated that he remembers the former AST being present.

6.2.6 – Asbestos

The subject site was visually inspected for asbestos. The purpose of this segment of our inspection was to identify visible areas, which may contain asbestos containing materials (ACM). This inspection is performed as a cursory examination of clearly visible materials located in the interior of the building(s). This inspection is not presented to fulfill the requirements of USEPA, AHERA, OSHA, ASHARA, NESHAPS, or other state or local programs. Prior to performing any renovation, demolition, or disturbance of suspect materials, proper inspection, sampling, and analysis would be required.

It was the intention of our survey to only assess materials that are, or could become friable (as being crumbled, pulverized, or reducible to a powder with hand pressure), and thus pose a direct liability to the property. As a result, we have made no mention of items of solid substrates, such as plaster, cement, or roofing materials.

Benchmark personnel did not observe any areas of possible ACM fill materials at the subject site.

6.2.7 - Polychlorinated biphenyls, (PCBs)

PCBs are controlled by the Toxic Substance Control Act (TSCA) of 1976. TSCA is charged with regulating the manufacture of substances that it considers toxic and harmful to health and the environment. For this reason, our survey examines properties for items that could contain, or may have been contaminated with, PCBs. Although PCBs had many uses, the most widespread use was in the manufacture of nonflammable dielectric fluids (askarels) for electrical transformers, capacitors, and other liquid - cooled electrical equipment. These askarel-type fluids varied with trade names, but generally consisted of 40-80% PCBs (or 400,000 to 800,000 ppm). Since their development in 1929, PCB fluids were used in millions of transformers, particularly smaller ones located in fire sensitive locations in or near buildings.

No possible electrical PCB transformers or any other major PCB-containing equipment were observed on or at the subject site.

7.0 – Interviews

7.1 – Interview with Owner

Based on the nature of the subject site's ownership status, a representative of the current owner, Tollefson Development of Florida, was unavailable for an interview.

7.2 – Interview(s) with Site Manager

At the time of this assessment the subject site was vacant land.

7.3 – Interview(s) with Occupant(s)

No occupants were available for an interview as the site was vacant land at the time of this assessment.

7.4 – Interview(s) with Local Government Officials

Benchmark interviewed The City of Haines City Code Officer, Mr. Thomas Whittle, who had the following information about the subject site:

- The City of Haines City annexed the subject site for the planned residential development.
- The subject site is currently zoned RFUD, which only allows truck trailers and construction equipment to be on the subject site.
- The subject site was formerly a citrus orchard with a small farmstead. The farmstead had a single-family house, garage and pole barn.
- The former farmstead utilized a gasoline UST. No knowledge of the current status of the UST.

7.5 – Interview(s) with Others

Benchmark interviewed the neighbor living at the property adjacent to the north, Mr. Zeke Taylor, who had the following information about the subject site:

- He has lived at 3500 Grace Avenue for approximately eight (8) years.
- The area residences utilize well water, but have sewer service from Haines City.
- He remembers the former farmstead at the subject site utilized a gasoline UST for equipment.

Benchmark also interviewed an employee of *Dunham Well Drilling*, who had the following information about the subject site:

- They removed six (6) water wells from the property two (2) years ago.

Interviews Continued:

Benchmark personnel interviewed Mr. Ben Crosby broker of Crosby & Associates who handled the transaction from the previous owner to Tollefson Development. The following information was made available to Benchmark:

- The McTeer family had owned the subject site property since the 1930's.
- Arsenic was used at the subject site up until 1980.
- These chemicals were used to speed up the growing process of grapefruits, which were previously harvested at the subject site.
- The arsenic was mixed at an area south of the former residence by approximately 100 feet near the old barn.
- A prior Phase I Environmental Site Assessment was performed at the subject site when Tollefson purchased the subject site property. A subsequent Phase II was also performed.
- It was estimated that approximately 5,000 to 10,000 square feet of land was impacted by the arsenic usage.
- Recommendations were made suggesting the subject site be remediated, however, the recommendations were not acted upon.
- All of the water well pumps were fueled by diesel fuel stored in ASTs near each pump. Leakage was common with these containment systems.

8.0 – Findings

Benchmark Environmental Services, Inc. (Benchmark) was retained by Mr. Patrick Malone of Chapman & Cutler, LLP, Chicago, Illinois to perform an All Appropriate Inquiry (AAI), Phase I Environmental Site Assessment per EPA 40 CFR Part 312 & ASTM E 1527-05 on 78.36 acres located between Robinson Drive, S. 30th Street and Grace Avenue, Haines City, Florida, 33844. Parcel #s: 27-27-34-000000-03-10-10, 27-27-34-000000-03-10-20, 27-27-34-000000-30-30 and 27-27-34-000000-30-10 as required by Mr. Geoffrey McConnell of Bank of Montreal, Harris N.A. and their affiliates.

William J. Liniewicz, CHMM, Principal, conducted the on-site reconnaissance on December 15, 2008. Benchmark personnel was unescorted throughout the subject site property.

This survey is required as part of the loan documentation for this property. This report should satisfy the requirements presented by the lending institution.

During the course of our survey, performed under Benchmark Project # 08535, we have attempted to determine if any potential chemical and/or physical hazards are present on the site.

The following environmental concerns were found during the performance of Benchmark's investigation:

Business Environmental Risks

No business environmental risks were noted at the subject site property.

Historical Recognized Environmental Conditions

Benchmark were informed by Mr. Ben Crosby of Crosby & Associates, the broker for the transaction from McTeer to Tollefson, that arsenic and pesticide contamination were present at the subject site. Benchmark were then supplied with a prior Phase I Environmental Site Assessment (performed July 12, 2004) and a Phase II Subsurface Investigation (performed July 29, 2004). Elevated levels of Arsenic and pesticides were encountered in this study. According to Mr. Crosby, remedial activities have not been performed.

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Material Threats

The Phase II performed by Universal Engineering confirmed contamination from arsenic and pesticides above the Soil Cleanup Toxic Limit (SCTL) and a further remedial investigation must be performed to delineate the extent prior to any use of the subject site property.

No other Material Threats were noted at the subject site.

8.1 – Data Gaps

Per contractual agreements, Benchmark personnel did not make contact with Tollefson Development of Florida.

No other major data gaps, which would alter the outcome of this assessment were encountered.

9.0 - Opinions

Based on a comprehensive visual inquiry at the subject site, improvements and surroundings properties and after a review of available historical information, databases and interviews it is the opinion of Benchmark Environmental Services, that "Recognized Environmental Conditions"* **DO EXIST** at the subject site.

The contents of the 55-gallon drum inside the chain-link fence are unknown. The drum appears aged and is heavily rusting. Benchmark recommends that this 55-gallon drum be removed from the property and properly disposed of in accordance with all applicable state and local laws.

10.0 - Conclusions

Based on the onsite inspection, historical research, database review, interviews and other available sources, the following "Recognized Environmental Conditions" were revealed at the subject site property:*

"Recognized Environmental Conditions", hazardous substances or petroleum products on a property under conditions that indicate an existing release, past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property, or into the ground, groundwater, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include de minimus conditions that generally do not present a material risk of harm to the public health, or the environment, and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies".

Benchmark were informed by Mr. Ben Crosby of Crosby & Associates, the broker for the transaction from McTeer to Tollefson, that arsenic and pesticide contamination were present at the subject site. Benchmark were then supplied with a prior Phase I Environmental Site Assessment (performed July 12, 2004) and a Phase II Subsurface Investigation (performed July 29, 2004). Elevated levels of Arsenic and pesticides were encountered in this study. According to Mr. Crosby, remedial activities have not been performed.

- Benchmark recommends further investigation to delineate the areas of arsenic and pesticide contamination to determine the extent of the necessary remedial activities.
- Benchmark will provide a scope of work proposal for the above recommendations at the request of the client.

All Appropriate Inquiry (AAI)
Phase I Environmental Site Assessment
per EPA 40 CFR Part 312 & ASTM E 1527-05 performed at:
78.36 Acres Located Between Robinson Dr., S. 30th St. and Grace Ave. Haines City, Florida, 33844
Parcel #: 27-27-34-000000-03-10-10, 27-27-34-000000-03-10-20, 27-27-34-000000-30-30 and
27-27-34-000000-30-10 - Benchmark Project # 08535

11.0 – Deviations

Benchmark Environmental Services, Inc. has performed this All Appropriate Inquiry (AAI) Phase I Environmental Site Assessment per EPA 40 CFR Part 312 & ASTM E 1527-05. To the best of Benchmark's knowledge, no deviations from the above listed standards were made during this study.

12.0 – Additional Services

While this study may exceed EPA 40 CFR Part 312 and ASTM Standard 1527-05 no additional services were contractually outlined in conjunction with this study.

13.0 – References

Firstsearch™ Technology Corp.
Polk County Assessor's Office
Florida Department of Environmental Protection
City of Haines City
USDA-NRCS Soil Survey
MapTech Inc.
Google™ Earth
TerraServer Image
US Fish & Wildlife Service
Personal Interviews

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Phase I Environmental Site Assessment
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Parcel #s: 27-27-34-000000-03-10-10, 27-27-34-000000-03-10-20, 27-27-34-000000-30-30 and
27-27-34-000000-30-10 - Benchmark Project # 08535

14.0 – Signatures of Environmental Professionals

All Appropriate Inquiry (AAI) Phase I Environmental Site Assessment per EPA 40 CFR Part 312 & ASTM E 1527-05 on 78.36 acres located between Robinson Drive, S. 30th Street and Grace Avenue, Haines City, Florida, 33844. Parcel #s: 27-27-34-000000-03-10-10, 27-27-34-000000-03-10-20, 27-27-34-000000-30-30 and 27-27-34-000000-30-10 – Benchmark Project #08535

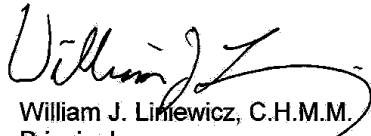
Benchmark Environmental Services, Inc. (Benchmark) performed an All Appropriate Inquiry (AAI) Phase I Environmental Site Assessment per EPA 40 CFR Part 312 & ASTM E 1527-05 of the property located at the above referenced property. The on-site reconnaissance of the subject property was performed on December 15, 2008. In evaluating the property, Benchmark ascertained whether any environmental hazards or liabilities might exist on or around the site that would represent a potential risk or financial liability to a buyer, or a lending institution with interest in the property.

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

If you should have any questions regarding this report, please feel free to contact the undersigned at 1-800-400-5811.

Sincerely,

BENCHMARK ENVIRONMENTAL SERVICES, INC.


William J. Liniewicz, C.H.M.M.
Principal

15.0 – Qualifications of Environmental Professionals

WILLIAM J. LINIEWICZ JR., CHMM Principal

Mr. Liniewicz received his Bachelor of Science degree in Chemistry, Biology, and Psychology from National Lewis University. He also has received his Certified Hazardous Materials Manager certification from the Illinois Institute of Technology and has taken numerous advanced graduate courses in Hazardous Waste Remediation, Groundwater Pollution Remedial Actions, and Monitoring Well Technology.

Responsible for project management of all field monitoring and engineering projects while performing consulting to clients. Responsive to clients needs to maintain compliance with EPA, OSHA, DOT, and state regulations, concerning TSCA, RCRA, CERCLA, SARA, AHERA, CWA, CAA, LUST, and RPTA, directed at industries, state agencies, municipalities, banks, law firms, real estate, and other professionals.

Experienced and knowledgeable in the following areas:

- Phase I Environmental Site Assessments
- Phase II Investigations
- Remedial Investigations (RIFS)
 - *Soil Borings / GEOPROBE sampling
 - *Groundwater Monitoring - well installation
 - *Soil Vapor Surveys
 - *Remedial Equipment Pilot Tests
- Remedial Investigation / Remedial Action Reports
- Remediation Systems Design
- Air, Storm Water, and Wastewater Permitting
- Hazardous and Special Waste Management
- Aboveground and Underground Storage Tank System Management
- Baseline Monitoring Reports (BMR's)
- Spill Prevention Containment and Countermeasures Plans (SPCC)

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ADAM (ZAK) ZAKROCZYMSKI, JR., CES, CEC
General Manager

Mr. "Zak" has more than six (6) years experience ranging from commercial / industrial facility audits to Phase I Site Environmental Assessments, including inspections, reporting, interpretation of soil surveys, topographic maps, wetland maps, aerial photographs, deed review, ownership chain of title, and regulatory list review, and asbestos inspections. He is a Certified Environmental Specialist (EAA), and a Certified Environmental Consultant (EAA)

Mr. Zak also has limited experience in Phase II Environmental Assessments, including soil and groundwater sampling, magnetometer searches, and underground storage tank removals.

His Administrative duties include; sales, contracting with clients, and sub-contractors, onsite reconnaissance scheduling, management of the Phase I Department personnel, quality control of reporting to clients, invoicing and correspondence with Local, State and Federal regulatory and reporting agencies.

Prior to entering the environmental field, Mr. Zak accrued more than twenty years management experience with a local medical device and pharmaceutical manufacturer.

Professional Affiliations

-Environmental Assessment Association

Education

-Multiple Degrees in Sciences and Business Administration
-Environmental Geology – College of Lake County
-Asbestos Inspection – St. Louis University

Certifications – Licenses

-C.E.S. (Certified Environmental Specialist) – Environmental Assessment Association
-C.E.C. (Certified Environmental Consultant) – Environmental Assessment Association
-Illinois Department of Health Licensed Asbestos Inspector (100-11034)

Special Training

-First Aid / CPR certified
-Radiation Safety and Health Training - USAF

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ADAM K. ZAKROCZYMSKI III
Senior Environmental Technician

Mr. Zakroczymski has nine (9) years experience working in the environmental field as an Environmental Scientist.

In the environmental industry, Mr. Zakroczymski has performed detailed Phase I Environmental Assessments, which include comprehensive visual inspections of buildings and parcels of land. These inspections include identifying possible environmental risks (such as asbestos and hazardous materials) that may be associated with a certain piece of property. Among the visual inspections, Mr. Zakroczymski is also responsible for interpreting soil survey maps, topographic maps, wetland maps, aerial photographs, regulatory list review, and chain of title searches, then collating the information into a detailed written report.

Mr. Zakroczymski has limited experience in Phase II Environmental Assessments, including soil and groundwater sampling, magnetometer searches, and underground storage tank removals.

Education

Carmel High School – graduated class of 1999

College of Lake County – miscellaneous undergraduate course work (two years).
Trinity International University – pursuing a degree in Communications / Journalism
Columbia College – Crystal Lake – Bachelor of Arts Degree, 2004, with Honors

Special Training

-OSHA 40 Hour Hazardous Materials Training

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RANDALL J. MALEK
Environmental Scientist

In the environmental industry, Mr. Malek has performed detailed Phase I Environmental Assessments, which include comprehensive visual inspections of buildings and parcels of land. These inspections include identifying possible environmental risks (such as asbestos and hazardous materials) that may be associated with a certain piece of property. Among the visual inspections, Mr. Malek is also responsible for interpreting soil survey maps, topographic maps, wetland maps, aerial photographs, regulatory list review, and chain of title searches, then collating the information into a detailed written report.

Mr. Malek has experience in Phase II Environmental Assessments, including soil and groundwater sampling, magnetometer searches, and underground storage tank removals.

Education

University of Wisconsin - Madison: Bachelor of Science, Environmental Geography
Embry-Riddle University: coursework in engineering, physics and meteorology

Special Training

- Lake County Stormwater Management Commission: Enforcement Officer & Certified Wetland Specialist training
- Wisconsin Department of Agriculture Pesticide Applicator training and license
- Bioremediation training by Regenesys™ Corp.
- Milwaukee Lead and Asbestos Information Center Inc: mold training

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16.0 – Appendices

- 16.1 - Site Location Map
- 16.2 - Site Photographs
- 16.3 - Aerial Photographs: 1964, 1999, 2000 and Most Recent
- 16.4 - Area Diagram
- 16.5 - Polk County Assessors Office Property Information
- 16.6 - USDA-NRCS Soil Survey Map
- 16.7 - USGS Topographic Map
- 16.8 - USF&WS Wetland Map
- 16.9 - Environmental FirstSearch™ Report
- 16.10 - Prior Phase I Environmental Assessment
- 16.11 – Prior Environmental Phase II Subsurface Investigation