

**REPORT OF
PHASE I ENVIRONMENTAL SITE ASSESSMENT
FORMER STONEY RIVER RESTAURANT PROPERTY
5000 UPPER METRO PLACE
DUBLIN, FRANKLIN COUNTY, OHIO
GCI PROJECT NO. 10-E-15629**

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APPENDIX A – MAPS AND PHYSICAL SETTING INFORMATION

General Property Location Map
Franklin County Auditor GIS Map
Current (1995/1984) USGS Topographic Map
ODNR Groundwater Well Location Map and Well Logs (5 pages)
USDA Soil Survey Map / 1972 Aerial Photograph

APPENDIX B – OWNERSHIP AND HISTORICAL INFORMATION

Franklin County Auditor Parcel Information Sheets (3 pages)
1938, 1950, 1957, 1964, 1979, 1989, 1995, 2004, and 2007 Aerial Photographs
Historical 1903 and 1973 USGS Topographic Maps

APPENDIX C – REGULATORY DOCUMENTATION

Environmental FirstSearch Report (28 pages)
Information Request – Ohio EPA
Ohio EPA Spills Information (5 pages)
Information Request - Washington Township Fire Department
Information Request - Franklin County Health Department
City of Dublin Zoning Map

APPENDIX D – SITE RECONNAISSANCE AND OTHER INFORMATION

User Questionnaire
NETR Environmental Lien Search Report (7 pages)
Property Photographs (Photo 1 to Photo 14)

1.0 SUMMARY

Chuang Development LLC retained Geotechnical Consultants, Inc. (GCI) to perform a Phase I environmental site assessment (Phase I ESA) of a restaurant property at 5000 Upper Metro Place in Dublin, Franklin County, Ohio (the “property”). The property consisted of Franklin County parcel identification number 273-009971, located at the northwest corner of Upper Metro Place and Franz Road. The property contained an unoccupied former restaurant building on a 2.58± acre parcel.

The Phase I ESA has revealed no evidence of recognized environmental conditions in connection with this property. Therefore, it is the opinion of GCI that additional assessment of the property for recognized environmental conditions is not necessary at this time.

Further information is provided in the following sections of this report, which should be read entirely.

2.0 INTRODUCTION

GCI is a geo-professional consulting firm performing environmental assessment, remediation, wetlands consulting and permitting assistance, geotechnical engineering, construction monitoring, laboratory analysis, and subsurface exploration services. Please contact our office by telephone at (614) 895-1400 or visit our web site at <http://www.GCI2000.com> for more information.

2.1 PURPOSE

The purpose of a Phase I ESA is to assess property for *recognized environmental conditions* (RECs). GCI performed a site reconnaissance, a driving tour of the vicinity, a review of agency databases, and a review of historical data in an effort to achieve this objective.

RECs are defined as: “the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include de minimis conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimis are not recognized environmental conditions.¹” In performing this Phase I ESA report, GCI has striven to balance between competing goals of identifying signs of RECs and a scope of services limited by both cost and time constraints.

Special terms and conditions are outlined in our proposal and Terms and Conditions with our client dated March 5, 2010. This assessment is intended to permit the user to satisfy

¹ ASTM Designation E1527-05 Section 3.2.74.

one of the requirements to qualify for the Comprehensive Environmental Response, Compensation and Liability Act's (CERCLA's) landowner liability protections (LLPs): *innocent landowner*, *contiguous property owner*, or *bona fide prospective purchaser*. This practice does not address specific requirements of local, state, or federal laws other than the *all appropriate inquiry* (AAI) provisions of the LLPs. Users are cautioned that local, state, and federal laws may impose environmental assessment obligations that are beyond the scope of this assessment. The users should also be aware that there may be other legal obligations with regard to hazardous substances or petroleum products on the property that are not addressed in this assessment and could pose a risk of civil and/or criminal sanctions for non-compliance.

2.2 SPECIAL TERMS AND CONDITIONS

This report is an instrument of professional service prepared by GCI for the sole use of Chuang Development LLC and other parties that may be designated jointly by Chuang Development LLC and GCI. Any other party that wishes to use or rely upon this report, or that wishes to duplicate, otherwise reproduce or copy, or excerpt from, or quote this report must apply with GCI for authorization to do so. Any unauthorized use of or reliance on this report shall release GCI from any liability resulting from such use or reliance. Any unauthorized duplication, other reproduction or copying, or excerption or quotation of this report shall expose the violator to all legal remedies available to GCI.

2.3 SCOPE OF SERVICES AND REPORT METHODOLOGY USED

In accordance with our proposal #10E0052 dated March 5, 2010, the scope of the Phase I ESA included the following: historical background research; review of local, state, federal, and tribal environmental agency data; visual property observations; review of area geology; and interviews.

GCI performed this Phase I ESA in substantial accordance with ASTM practice E 1527-05 guidelines; 40 CFR Part 312, Standards and Practices for All Appropriate Inquiry, Final Rule; and the generally accepted practices of environmental professionals performing similar services in the same locale under similar circumstances at the time of this assessment.

2.4 LIMITATIONS AND EXCEPTIONS OF ASSESSMENT

It is important to note that unexpected conditions may arise on any property. Identifying such conditions may not be attainable through the scope and limitations of ASTM practice E 1527-05. Having an AAI-compliant Phase I conducted will not protect a user from all forms of liability. For instance, AAI is limited to liability under federal CERCLA law but does not provide protection from liability under other federal statutes, state law, or common law. Likewise, AAI is only the first step of establishing a CERCLA defense and will not necessarily protect an owner from CERCLA litigation, particularly if the owner ignores the applicable continuing obligations over the course of property ownership. According to AAI, CERCLA liability rests with the owner or operator of the property and not with an environmental professional hired by the prospective landowner and who is not involved with the ownership or operation of the property.

AAI also does not address environmental compliance issues or health and safety compliance issues, nor is AAI designed for use in stock purchase arrangements because such deals do not involve transfers of real property. AAI is not a cure all for any environmental due diligence need. Often, the major driver for having a Phase I ESA conducted is to protect the owner from buying a problem property. Depending on the property, an AAI-compliant scope may or may not be appropriate. In some cases, a modified AAI approach may be more fitting. What the user wants to do with the property first can significantly affect what the scope of the Phase I ESA. It is therefore critical that the user be engaged upfront to identify what their goals are and to determine the appropriate methods for reaching those goals.

The following are beyond the scope of the Phase I ESA: assessing ASTM-defined “business environmental risks”; asbestos assessments/surveys; sampling/testing of building materials, soil, air or water; assessment for jurisdictional waters (wetlands/streams); cultural resources review including state historic preservation office (SHPO) inquiries; endangered or unique habitats or species inquiry; meetings with regulatory agencies; land surveying; an industrial hygiene survey; testing for biological pollutants (e.g., mold, fungi, bacteria, etc.), radon, air quality, lead-based paints, or other testing; measurement of quantities of wastes on the property; a compliance audit of existing or former operations; and meetings to discuss the property or report findings.

A Phase I ESA is not intended to wholly eliminate uncertainty regarding the possibility of recognized environmental conditions regarding the property. This report is intended to reduce, but not eliminate, uncertainty regarding the possibility of recognized environmental conditions regarding the property.

GCI made appropriate inquiries in the performance of this Phase I ESA. This does not mean an exhaustive search was performed; the cost of information or time required gathering it may outweigh its usefulness.

Not every property needs the same level of assessment. The appropriate level of inquiry regarding the property subject to a Phase I ESA is guided by type of property, the judgment of environmental professionals, and information developed during the assessment.

In order for the protective purchaser to claim protection from CERCLA liabilities, the acquisition of the subject property must be completed with 180 days after the commencement date of the Phase I ESA. The practicability of information contained in the Phase I ESA is presumed to be valid for a period of 180 days after date of issuance. The exception is its use as a historical informational source for future environmental site assessments.

The information in this report is true to the best of our knowledge. GCI obtained some of the information presented in this report from other persons/agencies. GCI assumes no responsibility for the accuracy or completeness of information provided by others. No warranty, express or implied, is given by GCI.

The conclusions presented in this report are professional opinions based on data collected between the commencement date and the report date. They are intended for the purpose, property location, and project indicated. This report is not a definitive study of contamination at the property and should not be interpreted as such. An evaluation of subsurface soil and groundwater conditions was not performed as part of this ESA. No sampling or laboratory chemical analysis was performed as part of this ESA. GCI performed activities appropriate and necessary to evaluate the environmental status of the property under current Phase I ESA guidelines.

2.5 USER-PROVIDED INFORMATION

GCI submitted a User Questionnaire (appended) to Ms. Julie Chuang who represents Chuang Development LLC, our client, to request this and other information pertaining to the property. The questionnaire responses indicated they had no knowledge of any environmental liens at the property, no knowledge of activity and/or land use limitations placed on the property such as engineering or institutional controls, no knowledge of recognized environmental conditions regarding the property or property vicinity, no knowledge of the property that would indicate a value reduction in price due to environmental conditions, no awareness of commonly known or reasonably ascertainable environmental information about the property, and no awareness of any obvious indicators of contamination at the property based on knowledge or experience with the property.

2.6 ENVIRONMENTAL LIEN SEARCH

GCI engaged Nationwide Environmental Title Research (NETR) to provide a search of title records for activity and use limitations (AULs) or environmental liens in connection with the property. This search did not identify the existence of AULs or environmental liens in connection with the property. Their report is provided in Appendix D.

3.0 PROPERTY LOCATION

This section provides a general portrayal of the property and its vicinity. Information from visual observations of the property and adjoining properties is provided in § 5.0 *Information from Site Reconnaissance and Interviews*.

3.1 LOCATION

Information provided in this section specifically describes the location of the property, as was provided by our client, the property owner, governmental agencies, or any combination thereof.

The property was at the northwestern corner of Upper Metro Place and Frantz Road in Dublin, Franklin County, Ohio. The address to the restaurant building was 5000 Upper Metro Place. A general property location map and a Franklin County Geographical Information System (GIS) map showing the property boundaries are attached in Appendix A.

3.2 PROPERTY AND VICINITY CHARACTERISTICS

This section describes the property and vicinity by generalizing a description whether they exist in a setting that may be industrial, residential, commercial, agricultural, etc. or any combination thereof. This information is a brief description that is combined from various sources. A broader description of specific adjoining properties and the property are provided under § 5.0 *Information from Site Reconnaissance and Interviews*.

The surrounding area was commercial with a hotel, retail, and office uses.

4.0 RECORDS REVIEW

This section provides information from public ascertainable recorded documents, government environmental databases, and historical information relative to identifying recognized environmental conditions regarding the property.

4.1 PHYSICAL SETTING

The following subsections describe reviewed information pertaining to geologic, hydrogeologic, or topographic characteristics of a property. This information is useful in identifying possible contaminant migratory pathways related to the surface, subsurface, and groundwater of the property and off-property sources.

4.1.1 USGS TOPOGRAPHIC MAP REVIEW

Surface elevation at the property, shown on the current (1984) USGS *Hilliard, Ohio* and (1995) USGS *Northwest Columbus, Ohio* quadrangle 7.5-minute series topographic maps, was between approximately 860 feet above mean sea level (AMSL) and 870 feet AMSL. A photocopy of a portion of this USGS map showing the property area is attached in Appendix A.

Ground surface elevations in the area immediately surrounding the property decreased easterly toward the Scioto River, approximately 3,600 feet east of the property.

4.1.2 COUNTY GROUNDWATER RESOURCES MAP

GCI reviewed *The Ground Water Resources of Franklin County, Ohio* map, revised by the Ohio Department of Natural Resources (ODNR) - Division of Water in 1993. The map indicated the property was in an area underlain by ground moraine glacial till generally more than 20 feet thick. The principal aquifer in the property area was limestone and dolomite bedrock.

4.1.3 WELL LOG REVIEW

GCI reviewed *Well Log and Drilling Reports* from ODNR - Division of Water for registered groundwater wells in Washington Township, Franklin County. Copies of the ODNR well location map and the reviewed well logs for the property area are attached in Appendix A. Our review identified no registered groundwater supply wells at the property. Reviewed groundwater well logs of wells in the property area generally indicated the property area is underlain by clay and

limestone bedrock. The reviewed logs indicated bedrock was encountered at depths ranging from 17.0 feet to 51.0 feet below the ground surface (bgs). Static water levels ranged from 20.0 feet to 50.0 feet below the ground surface at the time of drilling.

4.1.4 COUNTY SOIL SURVEY REVIEW

GCI reviewed the *Soil Survey of Franklin County, Ohio*, issued in 1980 by the United States Department of Agriculture (USDA) Soil Conservation Service. This resource indicated the property was underlain by Miamian silt loam, 2 to 6 percent slopes. The map symbol for this soil type is MkB, as shown on the soils map attached in Appendix A. This soil type was described as a gently sloping, well drained soil with moderately slow permeability and moderate available water capacity.

4.1.5 SUBSURFACE EXPLORATION INFORMATION²

GCI performed a traditional geotechnical engineering subsurface exploration at the property (GCI project number 7248) in 1998 prior to construction of the existing building. The exploration included four standard penetration borings, one auger boring, and three hand augers drilled to depths ranging from 3.0 feet to 15.0 feet below the ground surface. Subsurface material encountered during the exploration included 0.4 feet to 1.0 feet of topsoil underlain by natural brown glacial till soil with varying amounts of sand and gravel. Limestone bedrock, or broken rock, was encountered in the standard penetration test borings at depths ranging from 11.0 feet to 13.0 feet below ground surface. Groundwater was encountered in two of the borings, at depths of 13.0 and 13.5 feet bgs at the time of drilling.

4.2 HISTORICAL USE INFORMATION

The following subsections provide a history of previous uses of the property and surrounding properties. This helps to identify the possibility of past uses having led to recognized environmental conditions concerning the property.

4.2.1 COUNTY RECORD REVIEW

GCI reviewed real estate records at the Franklin County Auditor's Office to research information about the property. The property was identified by Franklin County Auditor PID: 273-009971. According to county records, Stoney River Management Company, Inc. has owned the property since March 4, 2005. Franklin County Auditor parcel information sheets are attached in Appendix B.

4.2.2 AERIAL PHOTOGRAPH REVIEW

GCI reviewed historical aerial photographs dated 1938, 1950, 1957, 1964, and 1972 (USDA Soil Map) of the property area available from the Franklin County Soil and Water Conservation Service; 1979 and 1989 aerial photographs from the

² Information provided by Geotechnical Consultants, Inc. regarding a property subsurface profile, if presented in this report, is an informational source to aid in assessing general subsurface characteristics, including the presence of fill and groundwater. This does not include measuring groundwater flow, which is beyond the scope of services of a Phase I ESA. Presented subsurface information in this report is not intended for construction purposes.

Mid-Ohio Regional Planning Commission (MORPC); and 1995, 2004, and 2007 aerial photographs from the Franklin County Auditor. Attached in Appendix B are copies of these aerial photographs.

The 1938, 1950, 1957, 1964, 1972, 1979, 1989, and 1995 aerial photographs indicated the property was agricultural farmland. The adjoining properties were historically agricultural in use except for the following: State Route 161 first appeared along the north side of the property in the 1957 aerial photograph, Frantz Road and a commercial building first appeared east of the property in the 1972 aerial photograph, and commercial-sized buildings appeared north of the property in the 1989 aerial photograph.

The existing restaurant building and associated parking areas were on the property in the 2004 and 2007 aerial photographs. Upper Metro Place bordered the south side of the property and the existing hotel was shown west of the property. Commercial-sized buildings were on the north and east adjoining properties. Vacant land adjoined the south side of the property.

4.2.3 HISTORIC TOPOGRAPHIC MAP REVIEW

GCI reviewed the 1903 USGS *Dublin, Ohio* 15-minute series topographic map. This map indicated no structures on the property or adjoining properties. Frantz Road bordered the east side of the property and Post Road was shown north of the property. The surrounding area appeared to be rural residential in use.

GCI reviewed the 1973 and 1995 USGS *Northwest Columbus, Ohio* and 1973 and 1984 *Hilliard, Ohio* 7.5-minute series topographic maps. The 1973 maps indicated no structures on or adjoining to the property. State Route 161 and Frantz Road bordered the north and east sides of the property, respectively. The 1984 and 1995 maps indicated no changes at the property and surrounding area except the existing shopping center building was shown east of the property.

4.2.4 REVIEW OF CITY DIRECTORIES

Adequate property occupancy/use information was available from other sources cited in this report; therefore, GCI did not review city directories for this property.

4.2.5 HISTORICAL FIRE INSURANCE MAPS

GCI reviewed historical Sanborn fire insurance maps for the property on the Ohio Public Library Information Network website. No Sanborn maps were available for the property. Generally, the absence of Sanborn maps for a given area tends to support evidence that the area was not significantly developed in the past.

4.2.6 PREVIOUS ENVIRONMENTAL REPORT REVIEW

GCI is not aware of previous environmental assessment reports pertaining to this property.

4.3 STANDARD ENVIRONMENTAL RECORD SOURCES, FEDERAL AND STATE

GCI engaged FirstSearch Technology Corporation (FirstSearch) to provide a review of state and federal government environmental agency database records. Their review lists the number of database sites identified within the search radius distances of each respective database, and identities of plotted sites. The following subsections represent the databases reviewed. The FirstSearch report is appended.

The property was not identified on the databases reviewed.

4.3.1 NATIONAL PRIORITIES LIST (NPL)

The NPL is a subset of the CERCLIS and lists over 1,200 of the nation's sites of uncontrolled or hazardous waste, which require cleanup. Also known as the Superfund List; the sites are scored according to the hazard ranking system (HRS). This database also includes delisted NPL sites.

The FirstSearch report identified no NPL facilities within a 1-mile radius of the property.

4.3.2 COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY INFORMATION SYSTEM (CERCLIS)

CERCLIS maintains information on sites nationally identified as hazardous or potentially hazardous, which may require action. These sites are currently being investigated or an investigation has been completed regarding the release of hazardous substances. The most serious of this list as ranked by the HRS are transferred to the NPL.

The FirstSearch report identified no CERCLIS facilities within a ½-mile radius of the property.

4.3.3 CERCLIS ARCHIVED SITES (NFRAP)

This database contains archived CERCLA sites with completed assessments where U.S. EPA determined that no further steps will be taken to place these sites on the NPL.

The FirstSearch report identified no NFRAP facilities within a ½-mile radius of the property.

4.3.4 RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM – CORRECTIVE ACTION SITES (CORRACTS)

The CORRACTS database includes RCRA sites with reported corrective actions.

The FirstSearch report identified no CORRACTS facilities within a 1-mile radius of the property.

4.3.5 RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM -- TREATMENT, STORAGE, AND DISPOSAL FACILITIES (RCRA TSD)

RCRIS contains information on hazardous waste handlers regulated by the US Environmental Protection Agency under the Resource Conservation and Recovery Act (RCRA). It is a national system used to track events and activities, which fall under RCRA. The TSD database is a subset of the complete RCRIS file which includes facilities which treat, store, dispose, or incinerate hazardous waste.

The FirstSearch report identified no RCRA TSD facilities within a ½-mile radius of the property.

4.3.6 RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM -- LARGE AND SMALL QUANTITY GENERATORS (RCRA GENERATOR)

RCRIS contains information on hazardous waste handlers regulated by the US Environmental Protection Agency under the Resource Conservation and Recovery Act (RCRA). It is a national system used to track events and activities that fall under RCRA. The generators database is a subset of the complete RCRIS file, which includes hazardous waste generators that create more than 100 kg. of hazardous waste per month or meet other requirements of RCRA. FirstSearch also includes RCRA Notifiers, Transporters, and formerly regulated RCRA Sites for more complete hazardous waste information. Additionally, compliance and corrective action information is included.

The FirstSearch report identified two RCRA generating facilities adjoining the property:

Site: Swan Cleaners 20, 317 W. Bridge Street, Dublin, OH 43017

Location: adjoins the east side of the property in a shopping center across Frantz Road; the location of the Swan Cleaners was situated in the center of the plaza.

Estimated Drainage Pattern: easterly, away from the property

Status: This facility was listed as a small quantity generator of spent halogenated solvents. No violations were listed on the summary sheet for this facility.

Site: Kroger Store 350, 299 W. Bridge Street, Dublin, OH 43017

Location: adjoins the east side of the property in a shopping center across Frantz Road; the location the Kroger was situated toward the eastern end of the plaza.

Estimated Drainage Pattern: easterly, away from the property

Status: This facility was listed as a conditionally exempt small quantity generator. No violations were listed on the summary sheet for this facility.

Based on the location of these two RCRA generating facilities, they were not likely to have impacted the property.

**4.3.7 FEDERAL INSTITUTIONAL AND ENGINEERING CONTROL SITES (FEDERAL IC/EC):
EPA BROWNFIELD MANAGEMENT SYSTEM (BMS)**

This is a database designed to assist EPA in collecting, tracking and updating information, as well as reporting on the major activities and accomplishments of the various federal Brownfields grant programs.

The FirstSearch report identified no Federal IC/EC facilities on the property.

4.3.8 EMERGENCY RESPONSE NOTIFICATION SYSTEM (ERNS)

This is US EPA's database of emergency response actions. Data since January 2001 has been received from the National Response Center as the EPA no longer maintains this data.

The FirstSearch report identified no ERNS incidents on the property or adjoining properties.

4.3.9 TRIBAL LANDS

This is a database of 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 government authority.

The FirstSearch report identified no Tribal Lands within a 1-mile radius of the property.

4.3.10 OHIO/TRIBAL SITES LIST

This is the Ohio Environmental Protection Agency (Ohio EPA) Division of Emergency and Remedial Response (DERR) database. It includes properties investigated by DERR for hazardous substances or petroleum, and includes Ohio's Voluntary Action Program (VAP) properties.

The FirstSearch report identified no DERR Database properties within a 1-mile radius of the property.

4.3.11 OHIO SPILLS LIST (SPILLS)

This list represents a state database that records spills reported to the Ohio EPA from 1990 to present.

The FirstSearch report identified two Spills sites on adjoining properties:

Site: Embassy Suites Hotel, 5100 Upper Metro Place, Columbus, OH

Location: adjoins the west side of the property

Estimated Drainage Pattern: easterly

Materials Spilled: A dust release was reported on October 17, 2007.

GCI requested additional information regarding this spill from Ohio EPA Emergency Response Section. According to the Initial Pollution Incident Report, a

complaint of dust was report throughout the entire hotel due to construction. Based on this information, this spill would not be expected to impact the property.

Site: Ryder Truck Rental and Leasing, Inc., 5100 Upper Metro Place, Columbus, OH

Location: adjoins the west side of the property

Estimated Drainage Pattern: easterly

Materials Spilled: Diesel. Approximately 25 gallons of diesel fuel was reported on February 16, 2001.

GCI requested additional information regarding this spill from Ohio EPA Emergency Response Section. According to the Initial Pollution Incident Report, a truck was releasing diesel fuel due to a leaking fuel filler cap. The release occurred as the vehicle was driven along SR 161 north of the property and at the Embassy Suites Hotel where a delivery was made. The product entered the storm drains in the area and was determined not to be practical to recover. Based on this information, this spill would not be expected to impact the property.

4.3.12 OHIO/TRIBAL SOLID WASTE FACILITIES LIST (SWL)

This state database lists known active and inactive solid waste disposal sites in the State of Ohio. The current portion of this list is updated and released annually by the Ohio EPA.

The FirstSearch report identified no SWL facilities within a ½-mile radius of the property.

4.3.13 OHIO/TRIBAL LEAKING UNDERGROUND STORAGE TANK LIST (LUST)

The Ohio LUST list provides information on known leaking underground storage tank incidents and tank removal actions in the State of Ohio. LUST incidents in Ohio are regulated by the Bureau of Underground Storage Tank Regulations (BUSTR).

The FirstSearch report identified 12 LUST incidents within a ½-mile radius of the subject property. These were location north of SR 161 or east of Frantz Road at various distances away from the property. The BUSTR regulatory status for 11 of these LUST incidents was No Further Action (NFA) or release disproved (DIS). The NFA and DIS status indicated BUSTR determined that further corrective actions were not necessary for these incidents. Based on their status and locations, those 11 LUST incidents were not likely to have impacted the property.

The remaining LUST incident without NFA or DIS status was:

Site: Dublin Sohio Inc., 215 W. Bridge Street, Dublin, OH 43017

Location: ¼-mile east of the property

Estimated Drainage Pattern: easterly, away from the property

Status: Suspected or confirmed release from regulated UST; tier 2; active.

Based on its distance from the property with respect to the clay-rich soils in the area, and local hydrogeological factors, an impact to the property from this incident was not likely.

4.3.14 OHIO/TRIBAL UNDERGROUND STORAGE TANK LIST (UST)

The Ohio UST list provides the location of registered underground storage tanks.

The FirstSearch report identified no UST facilities on the property or adjoining properties.

4.3.15 STATE/TRIBAL EC/IC SITES

This is a listing of sites that have either an engineering or institutional control mandated by state or tribal authorities.

The FirstSearch report identified no State/Tribal IC/EC facilities on the property.

4.3.16 STATE/TRIBAL VCP (VOLUNTARY CLEANUP PROGRAMS)

This database lists sites that have voluntarily submitted information to the inventory as part of the Site Assessment and Brownfield Revitalization Program (SABR).

The FirstSearch report identified no State/Tribal VCP facilities within a ½-mile radius of the property.

4.3.17 OHIO/TRIBAL BROWNFIELD SITES

This database lists Ohio EPA and US EPA sites that have voluntarily submitted information to the inventory as part of the Site Assessment and Brownfield Revitalization Program.

The FirstSearch report identified no Brownfield facilities within a ½-mile radius of the property.

4.3.18 OHIO/TRIBAL WASTE FACILITIES SUBSET LIST

This state database lists compost facilities, infectious waste facilities, scrap tire facilities, and transfer stations. This database also includes a historical Master Site Listing of hazardous waste inventory site.

The FirstSearch report identified no Waste Facilities Subset List sites within a ½-mile radius of the property.

4.3.19 NON-GEOCODED SITES

FirstSearch provides a listing of sites that could not be located and mapped by a street address, but were within the postal zip code of the property area.

The FirstSearch report identified four non-geocoded Waste Facilities Subset List sites. Two of these facilities were in the shopping center east of the property across Frantz Road and two were southeast of the property across Frantz Road. These Waste Facilities Subset List sites appeared to be listed on this database due

to infectious waste handling related to medical offices. Based on this information, these facilities were not likely to have impacted the property.

4.4 ADDITIONAL RECORD SOURCES

The following subsections describe information obtained from governmental agencies directly contacted by GCI to provide information relative to the property. Copies of the information records are included in Appendix C of this report.

4.4.1 FIRE DEPARTMENT INQUIRY

GCI requested the Washington Township Fire Department to provide information pertaining to hazardous emergency responses, ASTs, AST releases, USTs, UST releases, spills, remediation, or commonly known information at the property. GCI interviewed Inspector Guisinger of the Washington Township Fire Department at the property on March 10, 2010. Inspector Guisinger indicated their department had no records of spills, releases, remediation, or USTs at the property.

4.4.2 HEALTH DEPARTMENT INQUIRY

GCI requested the Franklin County Health Department to provide information pertaining to permits, septic tanks, wells, landfills, complaints, violations, or commonly known information at the property. Their response is pending.

4.4.3 BUILDING AND ZONING DEPARTMENT INFORMATION

GCI reviewed zoning information from the City of Dublin Land Use and Long Range Planning Department. The property was zoned CC for Community Commercial.

5.0 INFORMATION FROM SITE RECONNAISSANCE AND INTERVIEWS

The following subsections provide information from observations on the property and interviews indicating a likelihood of identifying recognized environmental conditions concerning the property. Copies of photographs taken during our site reconnaissance are provided in *Appendix D*.

5.1 ENVIRONMENTAL PROFESSIONAL, DATE AND WEATHER CONDITIONS

GCI representative Kevin Fulk visited the property on March 10, 2010. Weather conditions at the time of the property visit included cloudy skies with a light rain and a temperature of approximately 45° Fahrenheit.

5.2 METHODOLOGY

This subsection provides the method used by the environmental professional(s) to conduct the site reconnaissance for this report (e.g., systematic approaches used in observing the property exterior or building interior).

GCI personnel observed the property by walking along the property perimeter, randomly across the property, around the property building, and walking room to room through the building interior.

5.3 LIMITING CONDITIONS OF THE SITE RECONNAISSANCE

This subsection describes conditions present during the site reconnaissance that limited observations, such as bodies of water, vegetation coverage, structures, snow, etc.

The property was covered by buildings and pavements, limiting the ability to view the original ground surface. Property observations were limited to observing those areas visible and unlocked and unenclosed, without removing structural components of the property.

5.4 CURRENT USES OF THE PROPERTY

The property contained a vacant restaurant building.

5.5 DESCRIPTIONS OF STRUCTURES, ROADS AND OTHER IMPROVEMENTS ON THE PROPERTY

This subsection describes buildings, pavements, utilities, heating and cooling systems, drains, sumps, pits, ponds, lagoons, etc.

The restaurant building was a one-story, slab-on-grade structure with brick, stone, and stucco exterior, wood trim, and pitched asphalt-shingle and flat metal deck roofing. Interior building materials included wood walls and ceilings, ceramic tile walls and floors, drywall, gypsum board ceiling panels, fiberglass wall coverings, carpet, and exposed concrete floors. Interior walls studs appeared to be metal. The building was heated by a forced air natural gas powered furnace. Several floor drains were in the kitchen area. A cover to an apparent grease trap was observed in a mulched landscaped area outside the northeastern corner of the building. The areas around the building included asphalt-paved parking, grass lawn, and landscaped areas. Concrete sidewalks were along the east and south sides of the property.

The property had public water supplied by a municipal system required under EPA regulations to monitor and control water quality. The property had municipal sewer service. GCI did not observe evidence of groundwater wells or septic systems at the property. Columbia Gas of Ohio provides natural gas to the property area. American Electric Power Company provides electric service.

5.6 PAST USES OF THE PROPERTY

This subsection describes past uses of the property by means of visual observations only.

The property was previously used for a restaurant and associated parking areas.

5.7 CURRENT AND PAST USES OF ADJOINING PROPERTIES

This subsection describes current and past uses of adjoining properties that were evident when viewed from the subject property. Adjoining properties are considered those properties that border contiguous or partially contiguous to the property, and that would be contiguous or partially contiguous with the property, but are separated by a street or other public thoroughfare.

An easement followed by State Route 161, a divided, two-way, asphalt-paved road bordered the north side of the property. North of State Route 161 (a.k.a. West Bridge Street) was Midwestern Auto Group auto dealership.

Frantz Road, a two-way, asphalt-paved road bordered the east side of the property. East of Frantz Road were Heartland Bank and a multi-tenant shopping center anchored by a Kroger grocery. A Swan Cleaners (dry cleaning operation) was situated in the central part of the plaza.

Upper Metro Place, a two-way, asphalt-paved road bordered the south side of the property. A grass covered lot was south of Upper Metro Place.

An Embassy Suites hotel adjoined the west side of the property.

No indications of recognized environmental conditions at the adjoining properties were encountered when viewed from the subject property. No past uses of adjoining properties, other than current uses, were apparent from our observations

5.8 STORAGE TANKS

This subsection describes identified aboveground and underground storage tanks (ASTs/USTs), or possible vent pipes, fill pipes or access ways generally associated with storage tanks, if any, on the property.

GCI did not observe signs of USTs or ASTs at the property.

5.9 POTENTIAL HAZARDOUS SUBSTANCES OR PETROLEUM AND IDENTIFIED USES

This subsection describes identified potential hazardous substances, petroleum products, and their respective containers and uses, if any, beyond the storage tanks previously discussed in Section 5.8. Additionally, treatment, storage, disposal of hazardous substances or petroleum products, stressed vegetation, and identifiable stains, slicks, spills, pools of liquid, etc., if any, are discussed.

GCI did not observe signs of hazardous substances or petroleum at the property.

5.10 INDICATIONS OF POLYCHLORINATED BIPHENYLS (PCBs)

PCBs belong to the broad family of organic compounds known as chlorinated hydrocarbons. They were manufactured approximately between the years 1927 to 1977 and used in various products until about 1979.

GCI did not observe signs of potential PCB-containing materials on the property. The pad-mounted electrical transformer outside the northeastern corner of the restaurant building was labeled as using non-PCB containing oils.

5.11 INDICATIONS OF SOLID WASTE

This subsection describes solid waste at the property.

No current disposal of solid waste was apparent during our observations. The property was not used on a day-to-day basis and no solid waste disposal equipment was observed on the property. An enclosed trash bin area was northeast of the restaurant building. No signs of solid waste landfilling or dumping were observed on the property.

5.12 PHYSICAL SETTING ANALYSIS

This subsection describes observations at the property of topographic conditions in conjunction with information provided in § 4.1 *Physical Setting*. This information aids in providing an analytical approach to approximate possible migratory pathways of hazardous substances or petroleum products into soil and groundwater, which could impact the property or impact other properties from the property.

Ground surface elevations in the area immediately surrounding the property decrease easterly toward the Scioto River, located approximately 3,600 feet east of the property. Under normal hydrogeologic conditions, groundwater within a shallow aquifer (e.g., groundwater in soil, sand and/or gravel layer) typically mimics the drop in regional ground surface elevation; therefore, groundwater in the upper most saturated zone in the property area likely flows easterly.

5.13 INTERVIEWS

This subsection documents interview information between GCI's representative and property manager(s), representative(s), occupant(s) and/or owner(s), either at the property, or by telephone or mail (see § 4.0 *Records Review* for interviews with governmental agencies).

The purpose of interviews is to obtain information in good faith regarding current and past uses of the property, and whether the interviewee(s) had knowledge of the existence of RECs at the property.

GCI interviewed Mr. Andrew Klochak of O'Charleys, the current owner of the property, via email on March 12, 2010. Mr. Klochak indicated the property building was originally constructed during the late 1990s for a Cooker restaurant. The building was remodeled and reopened as a Stoney River restaurant in October 2005 and operated until June 2009. Mr. Klochak indicated he was unaware of USTs, spills, or releases of petroleum products or hazardous materials at the property.

6.0 DATA GAPS, DATA FAILURES, AND DEVIATIONS

This section describes the lack of, or inability to obtain, information required by this practice despite good faith efforts. This section also lists deviations from the ASTM practice, if any.

GCI believes there were no data gaps or data failures of historic research, interviews, or requested information (as defined in ASTM E 1527-05 Section 3.2.19 and Section 3.2.20) that would result in altering our findings, opinions, and conclusions listed below. It is important to note that unexpected conditions may arise on any property. Identifying such conditions may not be attainable through the scope and limitations of ASTM practice E 1527-05.


In our opinion, there were no major deviations in this report from ASTM practice E 1527-05. GCI was unaware of minor deviations from the scope and limitations of ASTM practice E 1527-05.

7.0 FINDINGS, OPINIONS, AND CONCLUSIONS


GCI performed a Phase I ESA in substantial conformance with the scope and limitations of ASTM Practice E 1527-05 of the property. Any exceptions to, or deletions from, this practice are described in Section 6.0 of this report. The Phase I ESA revealed no evidence of RECs in connection with the property.

8.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

GCI personnel responsible for this report declare that to the best of our professional knowledge and belief, GCI personnel responsible for this report meet the definition of Environmental Professional (EP) as defined in §312.10 of 40 CFR Part 312. GCI personnel responsible for this report have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Prepared by: 

 Kevin J. Fulk, MBA, EP
 Senior Project Manager

Reviewed by: 

 Matthew R. Kaminski, EP
 Project Manager

9.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS PARTICIPATING IN THE PHASE I ENVIRONMENTAL ASSESSMENT

The following pages provide resumes of the environmental professionals participating in the development of this Phase I ESA report.



Kevin J. Fulk, MBA, EP, LEED AP
Senior Project Manager

▪ **Education:**

BS Architectural / Environmental Design – Bowling Green State University.
Bowling Green, OH (1992)
MBA Business Administration – Capital University, Columbus, OH (2000)

▪ **Active Registration & Certification:**

Evaluation Specialist No. 31832 – Ohio Certified Asbestos Hazard (1989)
Construction Documents Technologist (1993)
OSHA 40-Hr. Hazardous Waste Operations (1996)
LEED Accredited Professional (2009)

Mr. Fulk graduated from ASFE's *Fundamentals of Professional Practice (FOPP)* course in 2006.

▪ **Experience & Qualifications:**

Mr. Fulk's experience includes project management of environmental studies including Phase I & II Environmental Site Assessments, asbestos surveys, operations and maintenance plans for buildings with asbestos containing materials, hazardous materials surveys, and wetland assessments.

With more than 17 years experience as an environmental consultant, Mr. Fulk has provided field monitoring of asbestos abatement projects collected water and soil samples for laboratory analysis from monitoring wells, manholes, discharge pits, soil borings and test pits; environmental proposal/report preparation; and in-house report reviews. Environmental reporting includes satisfying HUD, FHA, and OHFA lending requirements for federal and state funded projects.

Since joining GCI in 1995, Mr. Fulk has been responsible for conducting more than 800 environmental studies and more than 400 asbestos studies for projects throughout Ohio and neighboring states.

Mr. Fulk is qualified as an Environmental Professional as defined by U.S. EPA's All Appropriate Inquiry legislation and ASTM Practice E1527-05. Mr. Fulk is a member of the Building Environment Council of Ohio.

▪ **Selected Projects:**

- Phase I & II ESAs of more than 30 parcels at The Waterfront, a redevelopment of a former steel mill into a mixed-use development, Pittsburgh, PA.
- Provided asbestos abatement monitoring for the Ohio Statehouse renovation projects, various government institutions and utility facilities, and school buildings.
- Performed asbestos surveys of The Buckeye Hall of Fame Cafe and shopping centers such as Morse Centre, Town & Country Shopping Center, and the Worthington Mall.
- Performed hazardous materials and asbestos surveys for the Grandview Yard project, Grandview Heights, OH.
- Phase I ESAs and asbestos survey for Butler Commons shopping center development, Butler, PA.



Matthew R. Kaminski, EP
Project Manager

▪ **Education:**

2003 BS Environmental Geography, Ohio University

▪ **Active Registration & Certification:**

2006 38 Hour Army Corps of Engineers Wetland Delineation & Management Training Program

Matt Kaminski is qualified as an Environmental Professional as defined by U.S. EPA's All Appropriate Inquiry legislation, and by ASTM Practice E1527-05.

▪ **Experience & Qualifications:**

Since joining GCI in 2005, Mr. Kaminski has been responsible for conducting more than 150 Phase I environmental site assessments (Phase I ESAs) of residential, commercial, industrial, and agricultural properties in Ohio, Michigan, West Virginia, and Pennsylvania. Mr. Kaminski has also completed numerous preliminary wetland assessments and assisted in several wetland delineations and 401/404 permit applications.

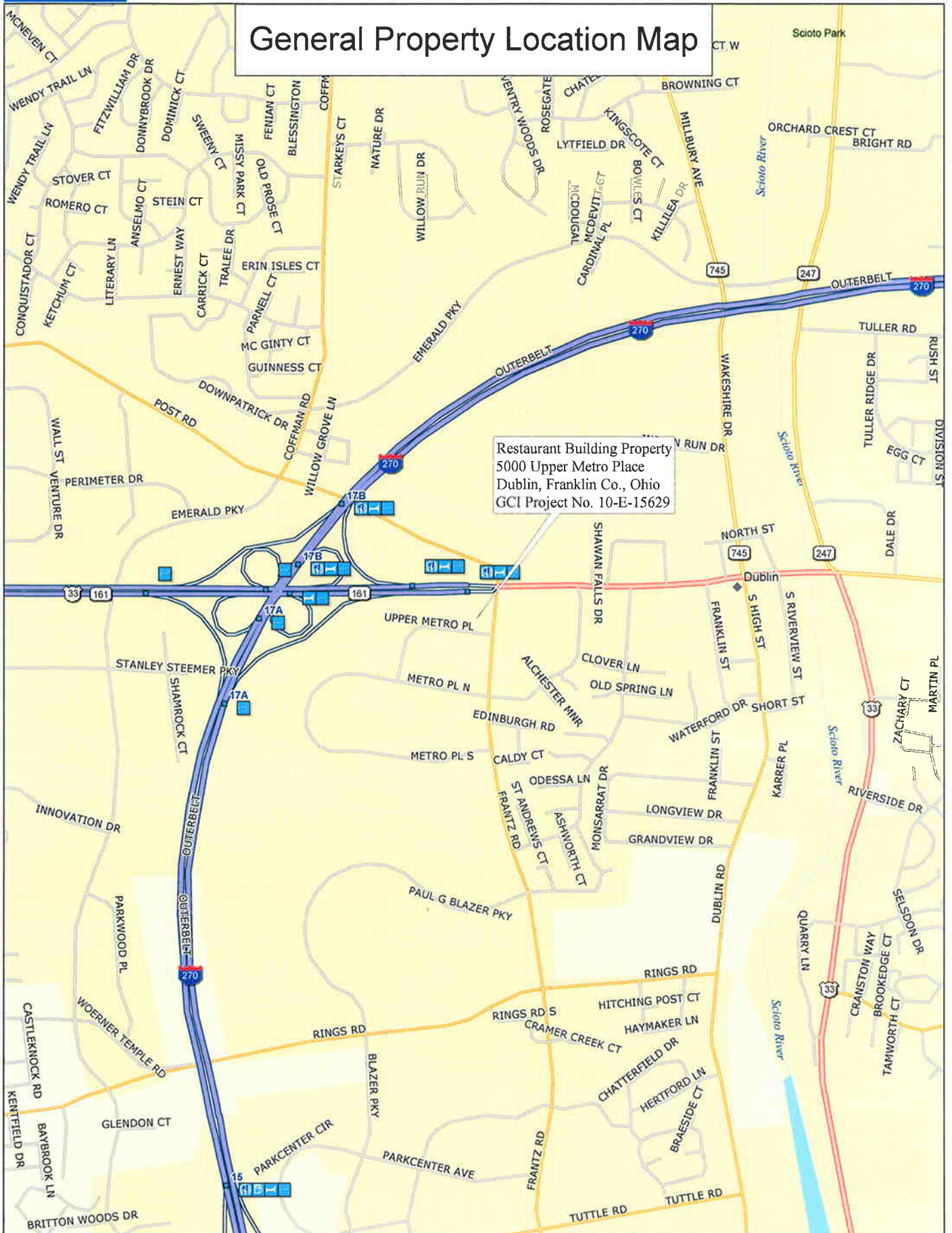
Experience includes project management, preparation of environmental site assessments, wetland delineation, compliance testing for petroleum companies, and supervision and testing of secondary containment systems on petroleum equipment. Mr. Kaminski also worked at the Ohio Division of Wildlife as a research assistant tracking wildlife using radio telemetry tracking equipment.

▪ **Selected Projects**

- Phase I Environmental Site Assessment Proposed Car Wash, Morse Road, Columbus, OH
- Phase I Environmental Site Assessment Proposed Multi-Family Development Property, Proprietors Road, Worthington, Franklin County, Ohio
- Phase I Environmental Site Assessment and Preliminary Wetland and Stream Assessment Proposed Worthington Woods Chapel, Columbus, Franklin County, Ohio
- Phase I Environmental Site Assessment and Preliminary Wetland and Stream Assessment 7+ Acre Proposed Office/Warehouse Property, Delaware, Delaware County, Ohio
- Phase I Environmental Site Assessment Lake Boulevard Site, 3.4± Acres, Marion Township, Marion County, Ohio
- Phase I Environmental Site Assessment Shell Station, Bexley, Franklin County, Ohio
- Phase I Environmental Site Assessment and Preliminary Wetland and Stream Assessment Proposed 29± Acre Residential Property, Westerville, Delaware County, Ohio
- Phase I Environmental Site Assessment Nine Brooksedge Corporate Center Office Buildings Westerville, Franklin County, Ohio

APPENDIX A
MAPS AND SKETCHES

General Property Location Map



Restaurant Building Property
 5000 Upper Metro Place
 Dublin, Franklin Co., Ohio
 GCI Project No. 10-E-15629

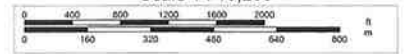
Data use subject to license.

© DeLorme, DeLorme Street Atlas USA® 2009.

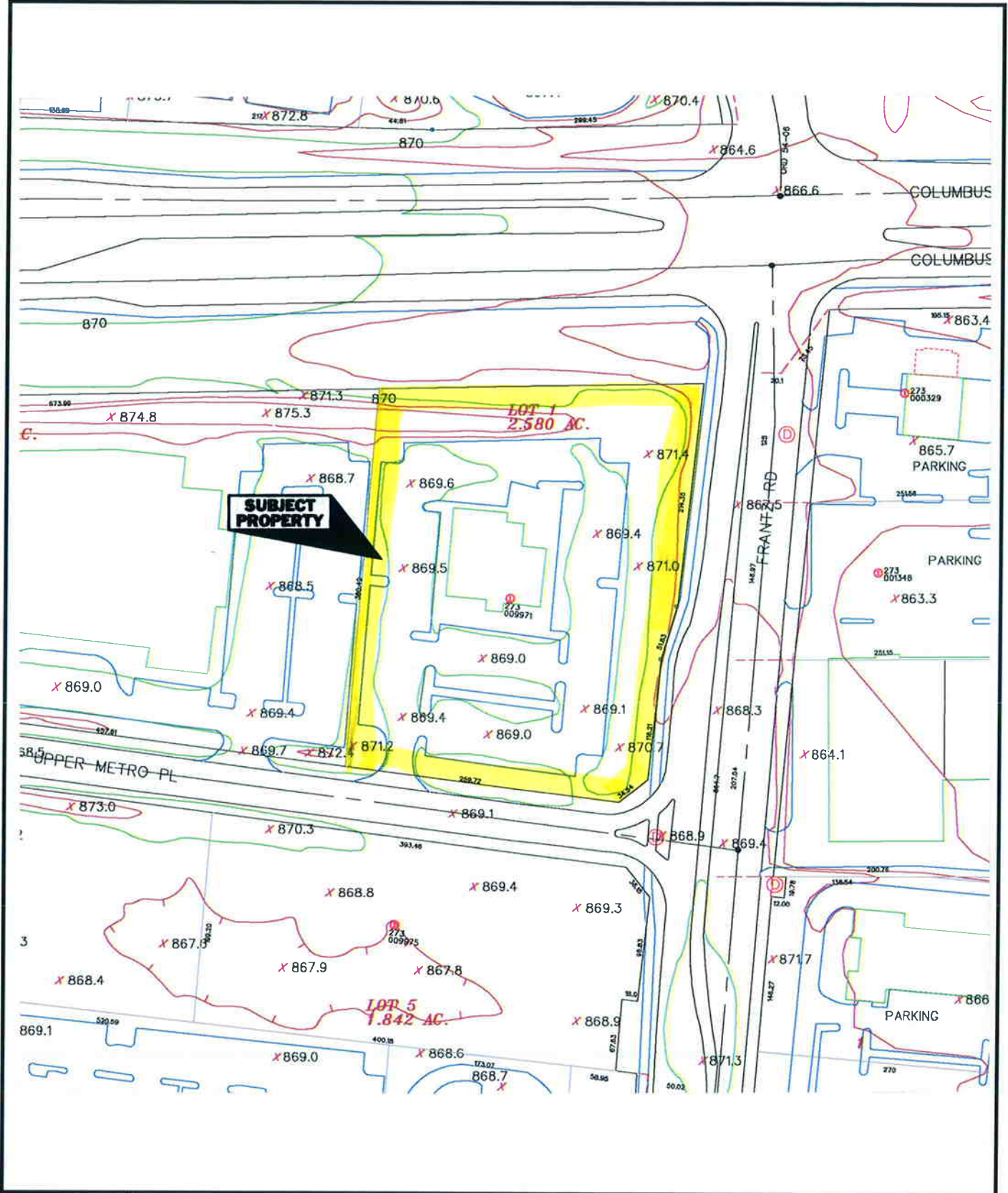
www.delorme.com



Scale 1 : 19,200

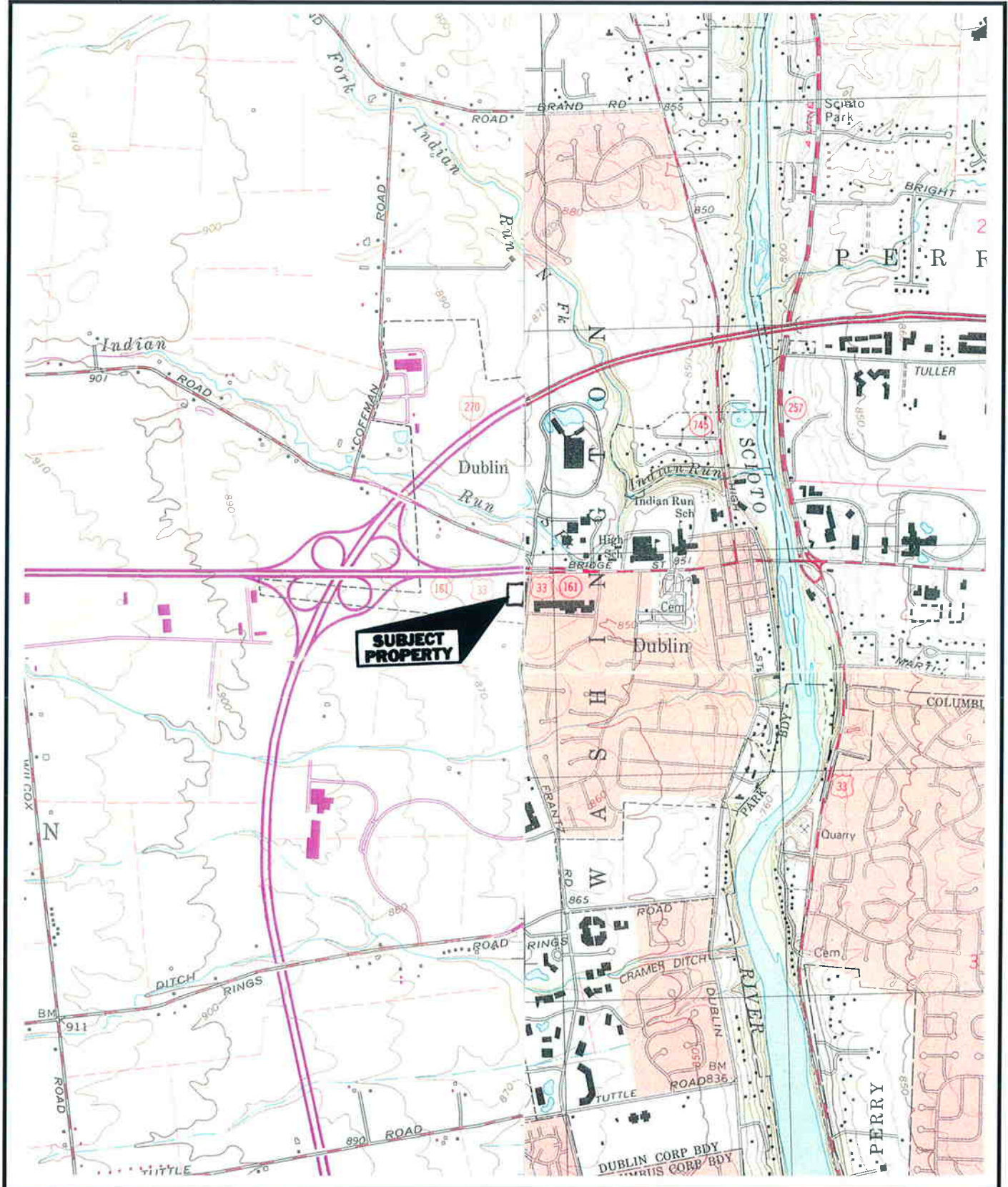


Data Zoom 13-4



FORMER STONEY RIVER RESTAURANT PROPERTY
5000 UPPER METRO PLACE
DUBLIN, FRANKLIN COUNTY, OH

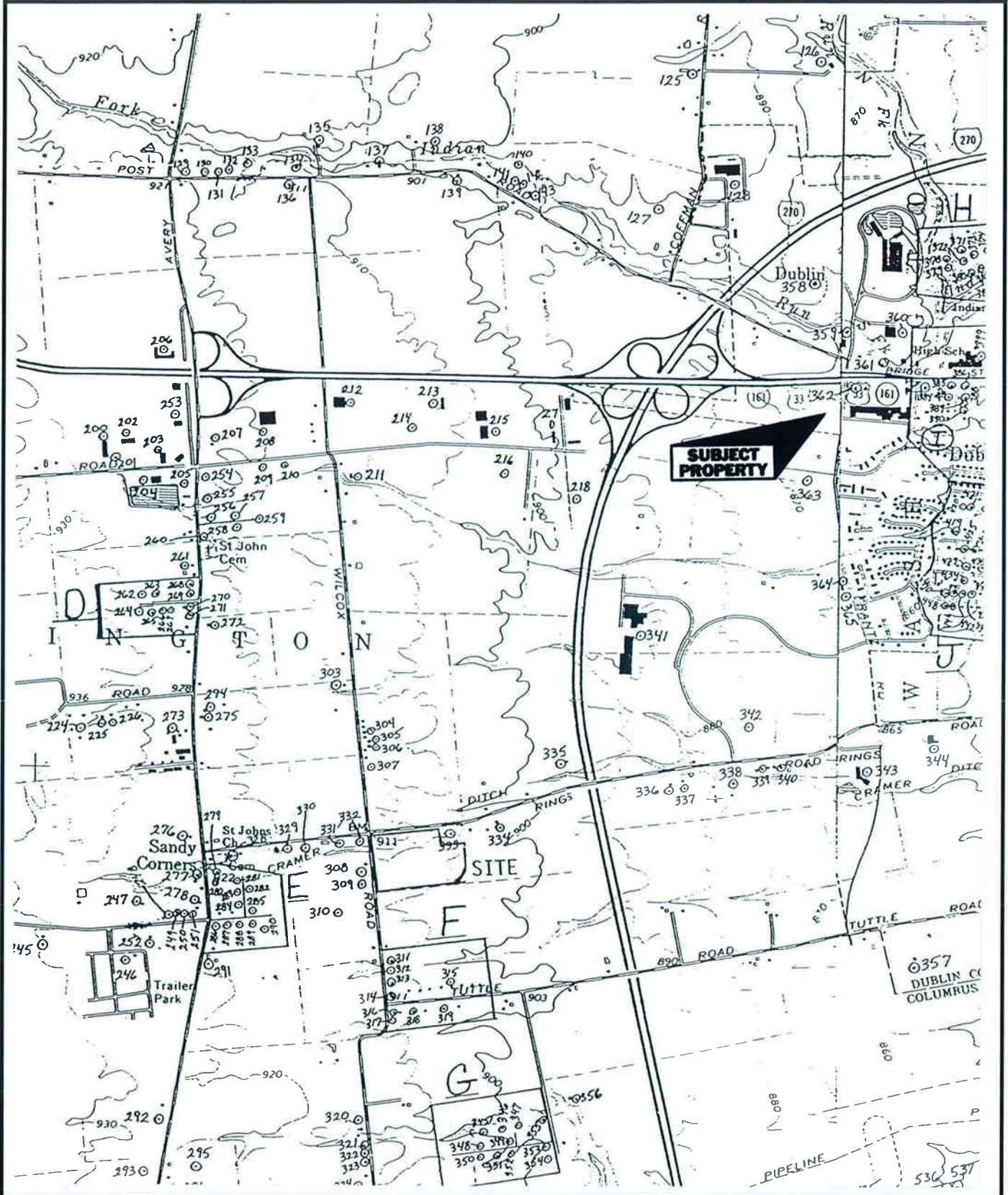




North

FORMER STONEY RIVER RESTAURANT PROPERTY
5000 UPPER METRO PLACE
DUBLIN, FRANKLIN COUNTY, OH
SCALE: 1" = 2,000'±





North

FORMER STONEY RIVER RESTAURANT PROPERTY
5000 UPPER METRO PLACE
DUBLIN, FRANKLIN COUNTY, OH
SCALE: 1" = 2,000'±





Water Well Log and Drilling Report

Ohio Department of Natural Resources
 Division of Water
 Phone: 614-265-6740 Fax: 614-265-6767

Well Log Number: 626527

[View image of Original Well Log](#)

ORIGINAL OWNER AND LOCATION

Original Owner Name: *ONLINE COMPUTER LIBR*

County: *FRANKLIN*

Township: *WASHINGTON*

Address: *6565 FRANTZ RD*

Section Number:

City:

State: *OH*

Lot Number:

Location Number: *358*

Location Map Year: *1986*

Zip Code:

Latitude: *40.102918*

Longitude: *-83.126314*

Location Area:

CONSTRUCTION DETAILS

Borehole Diameter: 1:

Borehole Depth: 1: *150 ft.*

Depth to Bedrock:

2:

2:

Casing Diameter: 1: *6 in.*

Casing Length: 1: *51 ft.*

Casing Thickness: 1:

2:

2:

2:

Casing Height Above Ground:

Aquifer Type: *LIMESTONE*

Date of Completion: *5/1/1985*

Total Depth: *150 ft.*

Well Use:

Driller's Name: *R.C. BARRY COMPANY*

Screen Diameter:

Slot Size:

Screen Length:

Type:

Material:

Set Between:

Gravel Pack Material/Size:

Vol/Wt Used:

Method of Installation:

Placed:

Grout Material/Size:

Vol/Wt Used:

Method of Installation:

Placed

WELL TEST DETAILS

Static Water Level: *35 ft.*

Test Rate: *55 gpm*

Associated Reports

Drawdown:

Test Duration: *1 hrs.*

NONE

COMMENTS: *NONE*

WELL LOG

Formations	From	To
CLAY	0	3
SAND & GRAVEL	3	15
CLAY	15	43
SAND & GRAVEL	43	47
BROKEN ROCK	47	51
LIMESTONE	51	150

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Water Well Log and Drilling Report

Ohio Department of Natural Resources
Division of Water
Phone: 614-265-6740 Fax: 614-265-6767

Well Log Number: 409624

[View Image of Original Well Log](#)

ORIGINAL OWNER AND LOCATION

Original Owner Name: *MIDWESTERN VW*

County: *FRANKLIN*

Address: *FRANTZ/33 RD*

City:

Location Number: *360*

Latitude: *40.101111*

Township: *WASHINGTON*

State: *OH*

Location Map Year: *1986*

Longitude: *-83.121718*

Section Number:

Lot Number:

Zip Code:

Location Area:

CONSTRUCTION DETAILS

Borehole Diameter: 1:

2:

Borehole Depth: 1: *148 ft.*

2:

Depth to Bedrock:

Casing Diameter: 1: *6 in.*

2:

Casing Length: 1: *92 ft.*

2:

Casing Thickness: 1:

2:

Casing Height Above Ground:

Date of Completion: *8/14/1970*

Driller's Name: *PLUMMER & SONS*

Screen Diameter:

Type:

Set Between:

Gravel Pack Material/Size:

Method of Installation:

Grout Material/Size:

Method of Installation:

Aquifer Type: *LIMESTONE*

Total Depth: *148 ft.*

Slot Size:

Material:

Vol/Wt Used:

Placed:

Vol/Wt Used:

Placed

Well Use:

Screen Length:

WELL TEST DETAILS

Static Water Level: *50 ft.*

Drawdown: *13 ft.*

COMMENTS: *NONE*

Test Rate: *36 gpm*

Test Duration: *2 hrs.*

Associated Reports

NONE

WELL LOG

Formations	From	To
GRAVEL & CLAY	0	18
LIMESTONE	18	148

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[Well log questions](#) - [Web site questions](#) - [Web policies](#)



Water Well Log and Drilling Report

Ohio Department of Natural Resources
Division of Water
Phone: 614-265-6740 Fax: 614-265-6767

Well Log Number: 383019

[View image of Original Well Log](#)

ORIGINAL OWNER AND LOCATION

Original Owner Name: OHIO FEDERAL SAVINGS

County: FRANKLIN

Township: WASHINGTON

Section Number:

Address: 33/FRANTZ RD USRT

Lot Number:

City:

State: OH

Zip Code:

Location Number: 362

Location Map Year: 1986

Location Area:

Latitude: 40.098856

Longitude: -83.124111

CONSTRUCTION DETAILS

Borehole Diameter: 1:

Borehole Depth: 1: 129 ft.

Depth to Bedrock:

2:

2:

Casing Diameter: 1: 4.25 in.

Casing Length: 1: 93 ft.

Casing Thickness: 1:

2:

2:

2:

Casing Height Above Ground:

Aquifer Type: LIMESTONE

Well Use:

Date of Completion: 12/26/1968

Total Depth: 129 ft.

Driller's Name: PLUMMER & SONS

Screen Diameter:

Slot Size:

Screen Length:

Type:

Material:

Set Between:

Gravel Pack Material/Size:

Vol/Wt Used:

Method of Installation:

Placed:

Grout Material/Size:

Vol/Wt Used:

Method of Installation:

Placed

WELL TEST DETAILS

Static Water Level: 32 ft.

Test Rate: 20 gpm

Associated Reports

Drawdown: 0 ft.

Test Duration:

NONE

COMMENTS: NONE

WELL LOG

Formations	From	To
CLAY	0	17
LIMESTONE	17	129

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[Well log questions](#) - [Web site questions](#) - [Web policies](#)



Water Well Log and Drilling Report

Ohio Department of Natural Resources
 Division of Water
 Phone: 614-265-6740 Fax: 614-265-6767

Well Log Number: 559874

[View Image of Original Well Log](#)

ORIGINAL OWNER AND LOCATION

Original Owner Name: *BANNING & PICKETT*

County: *FRANKLIN*

Township: *WASHINGTON*

Section Number:

Address: *FRANTZ RD*

Lot Number:

City:

State: *OH*

Zip Code:

Location Number: *363*

Location Map Year: *1986*

Location Area:

Latitude: *40.095297*

Longitude: *-83.126568*

CONSTRUCTION DETAILS

Borehole Diameter: 1:

Borehole Depth: 1: *176 ft.*

Depth to Bedrock:

2:

2:

Casing Diameter: 1: *8 in.*

Casing Length: 1: *36 ft.*

Casing Thickness: 1:

2:

2:

2:

Casing Height Above Ground:

Aquifer Type: *LIMESTONE*

Well Use:

Date of Completion: *10/31/1979*

Total Depth: *176 ft.*

Driller's Name: *R. C. BARRY*

Screen Diameter:

Slot Size:

Screen Length:

Type:

Material:

Set Between:

Gravel Pack Material/Size:

Vol/Wt Used:

Method of Installation:

Placed:

Grout Material/Size:

Vol/Wt Used:

Method of Installation:

Placed

WELL TEST DETAILS

Static Water Level: *20 ft.*

Test Rate: *160 gpm*

Associated Reports

Drawdown:

Test Duration: *1 hrs.*

NONE

COMMENTS: *NONE*

WELL LOG

Formations	From	To
DRIFT	0	6
CLAY	6	30
LIMESTONE	30	176

[Printing Tips](#) (opens in new window)



[Well log questions](#) - [Web site questions](#) - [Web policies](#)

APPENDIX B
OWNERSHIP AND HISTORICAL INFORMATION



Clarence E. Mingo II

Auditor, Franklin County, Ohio

Geographic Information System

PID: 273-009971
 STONEY RIVER MANAGEMENT
 3038 SIDCO DR, NASHVILLE TN 37204

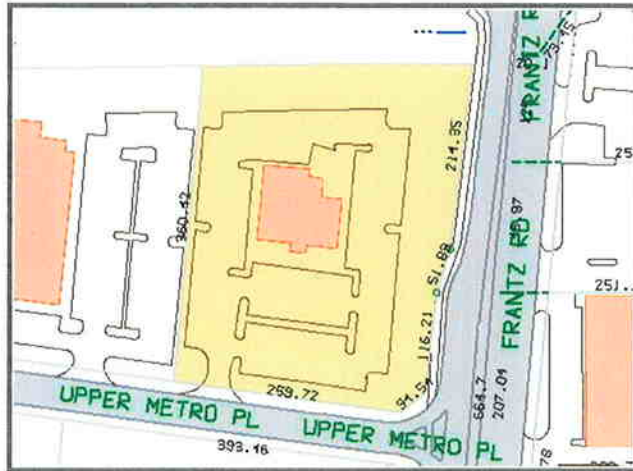


Image Date: 03/08/2010 09:24:05



Image Date: 2008-02-16 10:54:45

273-009971-00 02/16/2008

Owner Name STONEY RIVER MANAGEMENT
CO INC
Site Address 5000 UPPER METRO PL
Mail Address STONEY RIVER MANAGEMENT
CO INC
306 GAY ST STE 210
NASHVILLE TN 37201
Tax District CITY OF DUBLIN-WASH TWP-DUBLIN C.S.D.
Description UPPER METRO PLACE
FINAL PLAT
LOT 1 2.580 ACRES

Transfer Date 03/04/2005
Sale Amount \$2,425,000
Year Built
Auditor's Map N090BB 005.85
Neighborhood 00105
School Name DUBLIN CSD
Annual Taxes \$6,190.52

Auditor's Appraised Values

	Taxable	Exempt	Other Exempt
Land	\$206,500	\$811,900	\$0
Building	\$0	\$1,695,000	\$0
Total	\$206,500	\$2,506,900	\$0

Accessed Acreage 0.000
Landuse 435 - DRIVE-IN RESTAURANT
CAUV \$0
Homestead NO
Property Class COMMERCIAL

Building Information

Rooms 0 **Baths** 0
Bedrooms 0 **Half Baths** 0

Number of Cards 1
Square Feet 0 **Fireplaces** 0
Air Cond. **Stories** 0

Disclaimer

The information on this web site is prepared for the real property inventory within this county. Users of this data are notified that the public primary information source should be consulted for verification of the information contained on this site. The county and vendors assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.



CLARENCE E. MINGO II

Franklin County Auditor

Summary

Generated on 03/05/10 at 10:31:49 AM

Parcel ID: **273-009971-80** Map Routing No: **273-N090BB -005-85** Card No: **1** Location: **5000 UPPER METRO PL**

Owner
**STONEY RIVER MANAGEMENT
 CO INC**
3038 SIDCO DR
NASHVILLE TN 37204
 If the above is incorrect please call 614-462-4663

Tax Bill Mailing Info
**STONEY RIVER MANAGEMENT
 CO INC**
306 GAY ST STE 210
NASHVILLE TN 37201

Legal Description
UPPER METRO PLACE
FINAL PLAT
LOT 1 2.580 ACRES

Most Recent Transfer	
Sale Amount	\$2,425,000
Date of Sale	03/04/2005
Conveyance Type	WD
Exempt Number	4663
Number of Parcels	2

Tax Year 2009			
Annual Taxes	\$6,190.52	Taxes Paid	\$3,095.26

Current Value		
	Market	Taxable
Land	\$206,500	\$72,280
Improvements	\$0	\$0
Total	\$206,500	\$72,280
Cauv	\$0	\$0

Building Data
Card 1 has no building entries

2009 Tax Status			
Property Class	COMMERCIAL		
Land Use	[435] DRIVE-IN RESTAURANT		
Tax District	[273] CITY OF DUBLIN-WASH TWP-DUBLIN C.S.D.		
School District	[2513] DUBLIN CSD		
Neighborhood	00105		
Board of Revision	NO	Tax Lien	NO
Homestead	NO	2.5% Reduction	NO
Special Assessment	NO	CDQ	



CLARENCE E. MINGO II

Franklin County Auditor

Transfer History

Generated on 03/09/10 at 09:27:02 AM

Parcel ID **273-009971-80** Map Routing No **273-N090BB -005-85** Card No **1** Location **5000 UPPER METRO PL**

Transfers

Date	Owner	Conveyance No	Exempt Conveyance No	Conveyance Type	Number Parcels	Sale Price
03/04/2005	STONEY RIVER MANAGEMENT	200500004663		WD	2	\$2,425,000



North

FORMER STONEY RIVER RESTAURANT PROPERTY
5000 UPPER METRO PLACE
DUBLIN, FRANKLIN COUNTY, OH





North

FORMER STONEY RIVER RESTAURANT PROPERTY
5000 UPPER METRO PLACE
DUBLIN, FRANKLIN COUNTY, OH





North

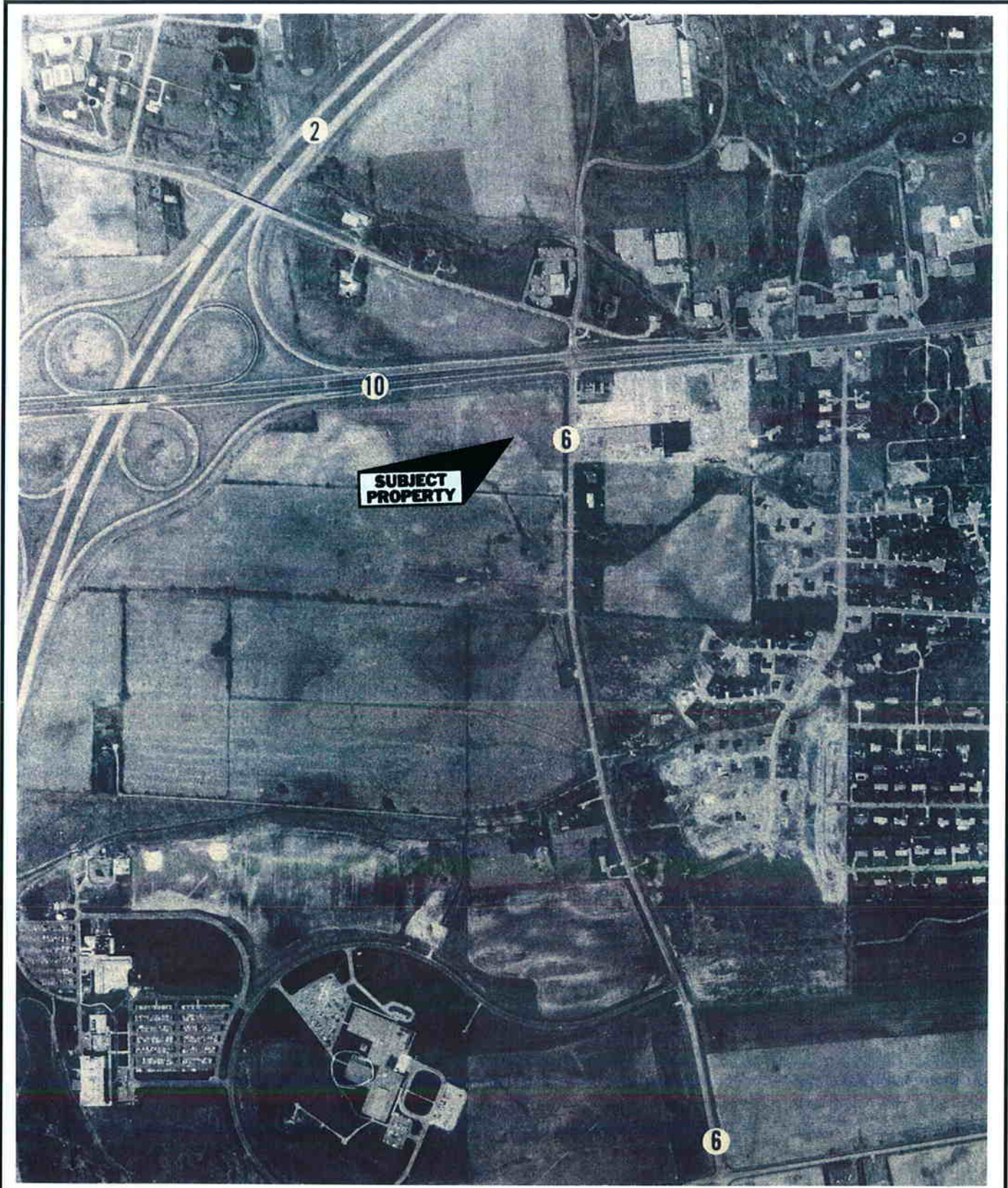
FORMER STONEY RIVER RESTAURANT PROPERTY
5000 UPPER METRO PLACE
DUBLIN, FRANKLIN COUNTY, OH





FORMER STONEY RIVER RESTAURANT PROPERTY
5000 UPPER METRO PLACE
DUBLIN, FRANKLIN COUNTY, OH





North

FORMER STONEY RIVER RESTAURANT PROPERTY
5000 UPPER METRO PLACE
DUBLIN, FRANKLIN COUNTY, OH

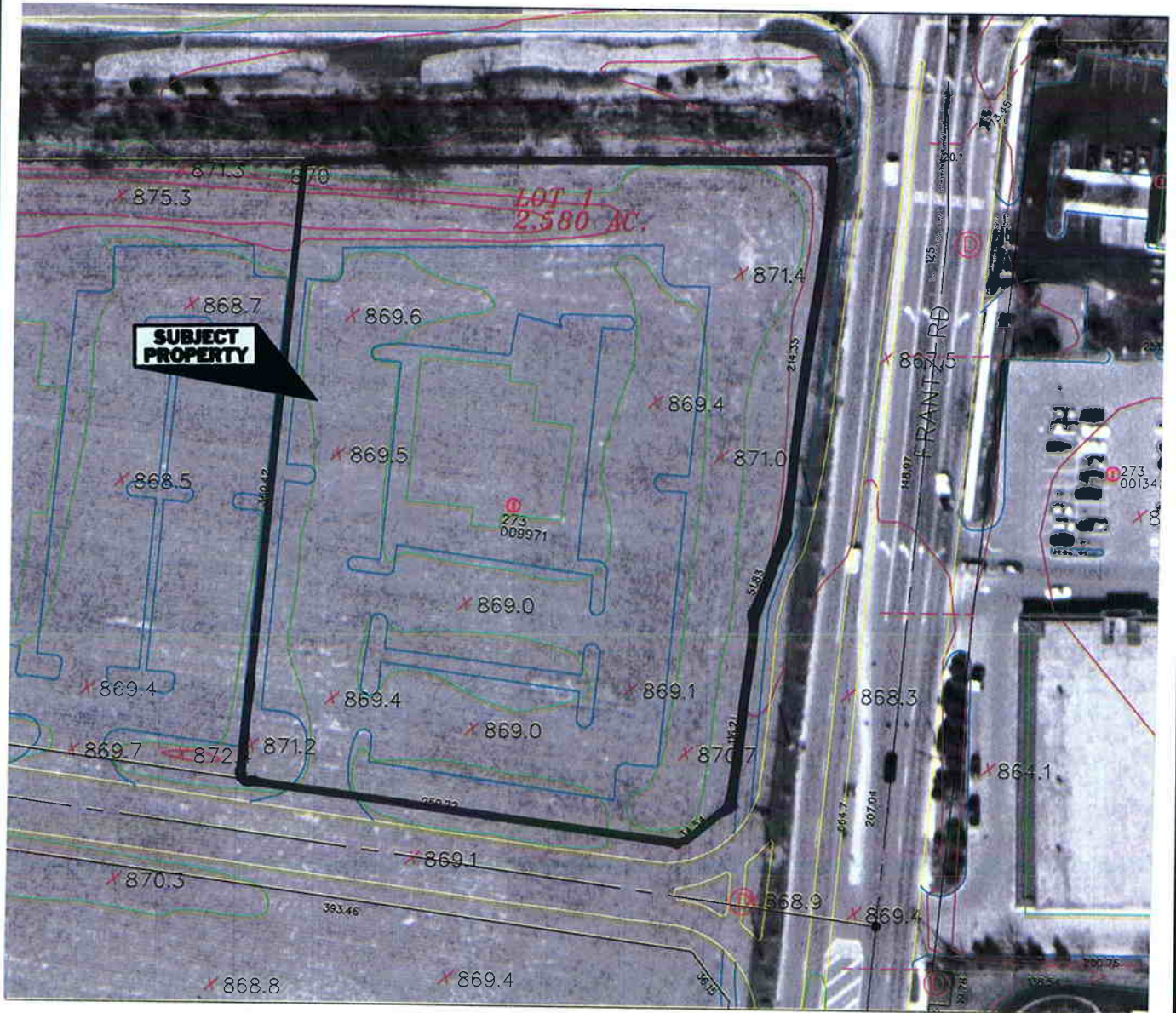




North

FORMER STONEY RIVER RESTAURANT PROPERTY
5000 UPPER METRO PLACE
DUBLIN, FRANKLIN COUNTY, OH





North

FORMER STONEY RIVER RESTAURANT PROPERTY
5000 UPPER METRO PLACE
DUBLIN, FRANKLIN COUNTY, OH

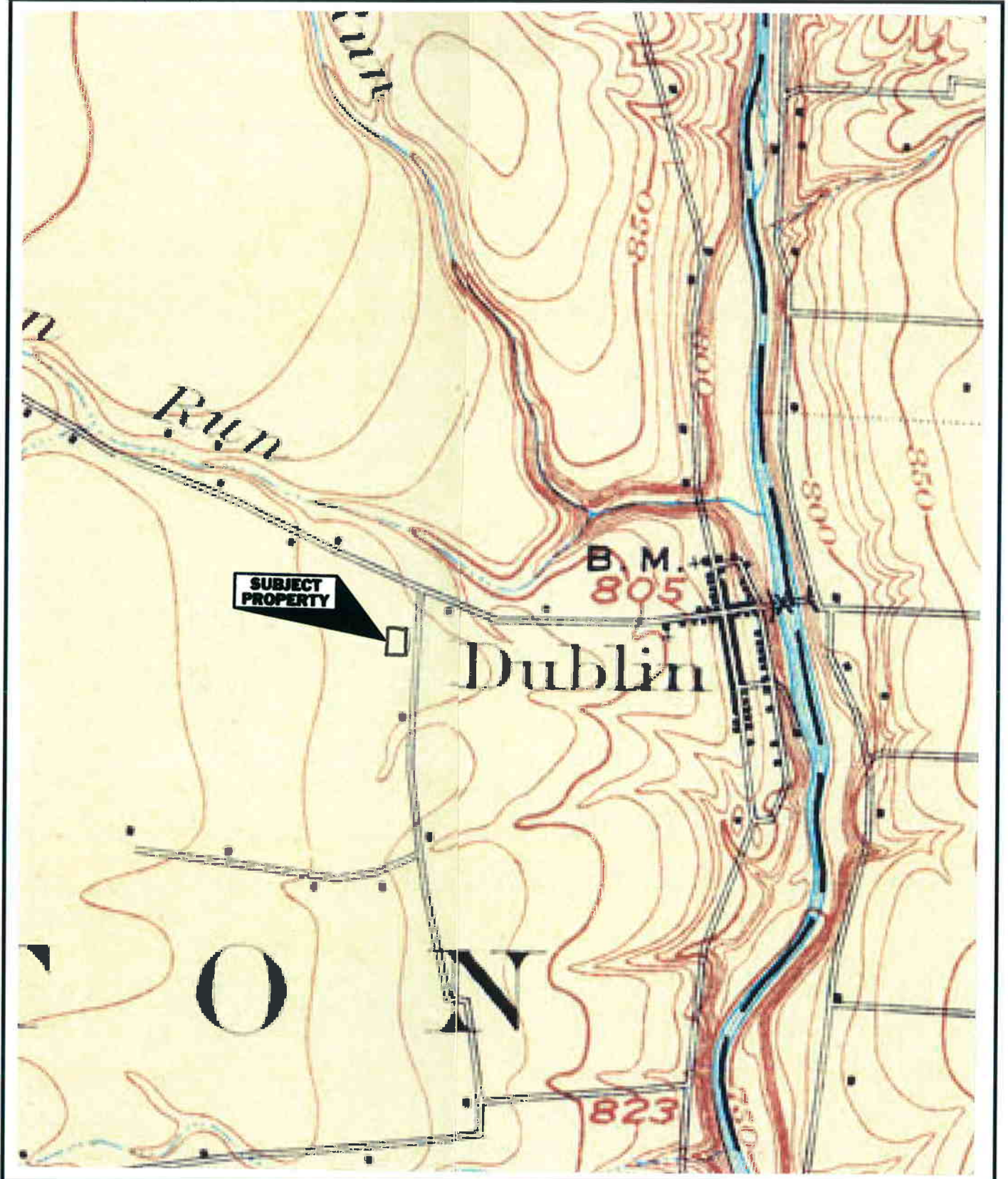




North

FORMER STONEY RIVER RESTAURANT PROPERTY
5000 UPPER METRO PLACE
DUBLIN, FRANKLIN COUNTY, OH

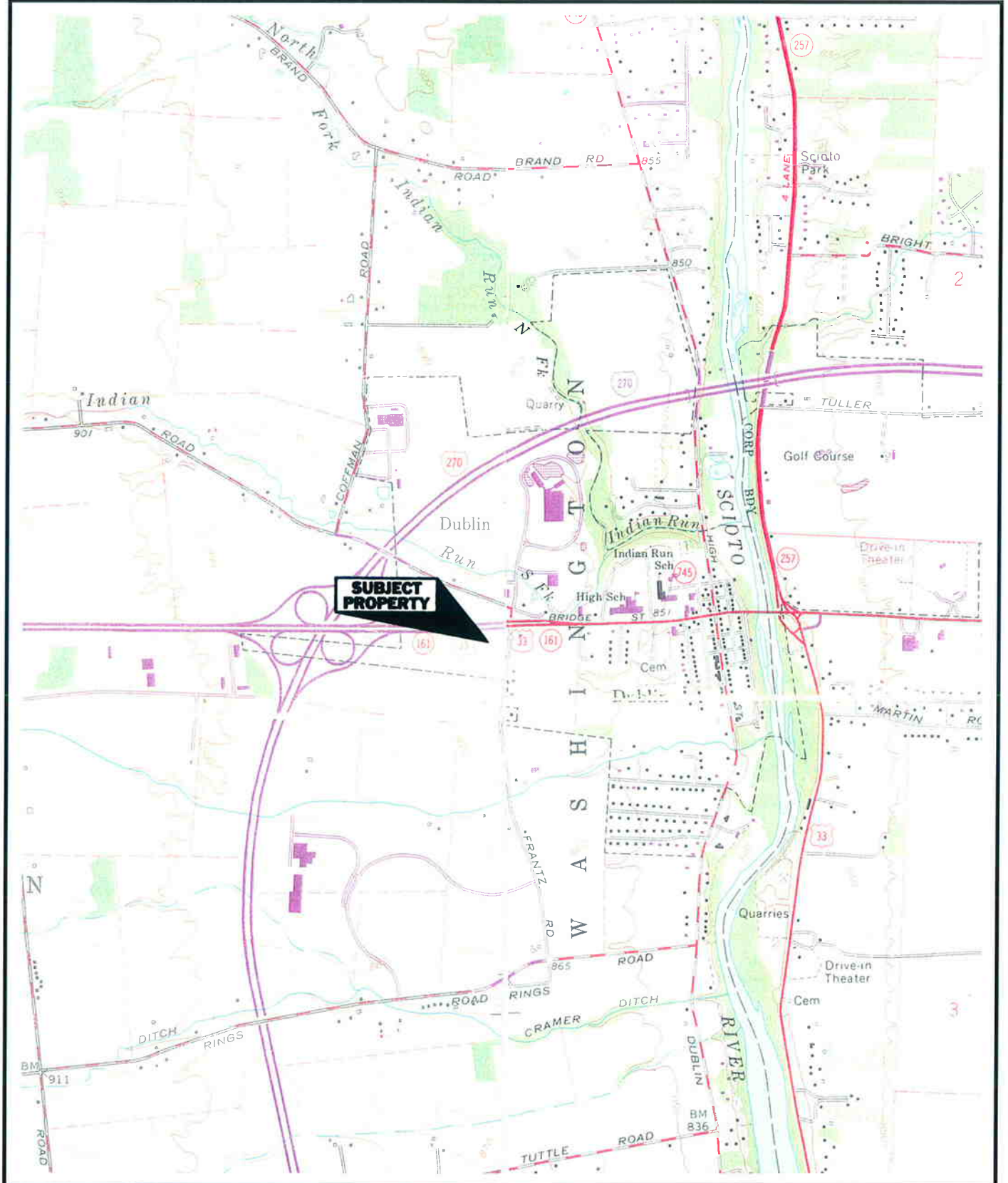




North

FORMER STONEY RIVER RESTAURANT PROPERTY
5000 UPPER METRO PLACE
DUBLIN, FRANKLIN COUNTY, OH





SUBJECT PROPERTY



North

FORMER STONEY RIVER RESTAURANT PROPERTY
5000 UPPER METRO PLACE
DUBLIN, FRANKLIN COUNTY, OH
SCALE: 1" = 2,000'±



APPENDIX C
REGULATORY DOCUMENTATION

FirstSearch Technology Corporation

Environmental FirstSearch™ Report

Target Property:

5000 UPPER METRO PL

DUBLIN OH 43017

Job Number: 10-E-15629

PREPARED FOR:

Geotechnical Consultants

720 Green Crest Dr

Westerville, OH 43081

03-08-10



Tel: (317) 823-3500

Fax: (317) 823-3535

Environmental FirstSearch

Search Summary Report

Target Site: 5000 UPPER METRO PL
DUBLIN OH 43017

FirstSearch Summary

Database	Sel	Updated	Radius	Site	1/8	1/4	1/2	1/2>	ZIP	TOTALS
NPL	Y	02-23-10	1.00	0	0	0	0	0	0	0
NPL Delisted	Y	02-23-10	0.50	0	0	0	0	-	0	0
CERCLIS	Y	01-29-10	0.50	0	0	0	0	-	0	0
NFRAP	Y	01-29-10	0.50	0	0	0	0	-	0	0
RCRA COR ACT	Y	01-13-10	1.00	0	0	0	0	0	0	0
RCRA TSD	Y	01-13-10	0.50	0	0	0	0	-	0	0
RCRA GEN	Y	12-11-09	0.25	0	0	2	-	-	0	2
Federal IC / EC	Y	01-19-10	0.25	0	0	0	-	-	0	0
ERNS	Y	02-08-10	0.25	0	0	0	-	-	0	0
Tribal Lands	Y	12-01-05	1.00	0	0	0	0	0	0	0
State/Tribal Sites	Y	01-14-10	1.00	0	0	0	0	0	0	0
State Spills 90	Y	01-14-10	0.25	0	2	0	-	-	0	2
State/Tribal SWL	Y	02-27-09	0.50	0	0	0	0	-	0	0
State/Tribal LUST	Y	11-10-09	0.50	0	0	4	8	-	0	12
State/Tribal UST/AST	Y	11-10-09	0.25	0	0	0	-	-	0	0
State/Tribal EC	Y	NA	0.25	0	0	0	-	-	0	0
State/Tribal IC	Y	NA	0.25	0	0	0	-	-	0	0
State/Tribal VCP	Y	02-02-09	0.50	0	0	0	0	-	0	0
State/Tribal Brownfields	Y	01-01-10	0.50	0	0	0	0	-	0	0
State Other	Y	03-07-07	0.50	0	0	0	0	-	4	4
- TOTALS -				0	2	6	8	0	4	20

Notice of Disclaimer

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

Waiver of Liability

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

***Environmental FirstSearch
Site Information Report***

Request Date: 03-08-10
Requestor Name: Kevin Fulk
Standard: ASTM-05

Search Type: COORD
Job Number: 10-E-15629
Filtered Report

Target Site: 5000 UPPER METRO PL
 DUBLIN OH 43017

Demographics

Sites: 20	Non-Geocoded: 4	Population: NA
Radon: 2.3 - 35.2 PCI/L		

Site Location

	<u>Degrees (Decimal)</u>	<u>Degrees (Min/Sec)</u>	<u>UTMs</u>
Longitude:	-83.12536	-83:7:31	Easting: 318828.229
Latitude:	40.09824	40:5:54	Northing: 4440615.634
Elevation:	864		Zone: 17

Comment

Comment:

Additional Requests/Services

Adjacent ZIP Codes: 1 Mile(s)	Services:
--------------------------------------	------------------

<u>ZIP Code</u>	<u>City Name</u>	<u>ST</u>	<u>Dist/Dir</u>	<u>Sel</u>
43016	DUBLIN	OH	0.61 SW	Y

	<u>Requested?</u>	<u>Date</u>
Fire Insurance Maps	No	
Aerial Photographs	No	
Historical Topos	No	
City Directories	No	
Title Search/Env Liens	No	
Municipal Reports	No	
Online Topos	No	

Environmental FirstSearch Sites Summary Report

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

TOTAL: 20 **GEOCODED:** 16 **NON GEOCODED:** 4 **SELECTED:** 20

Page No.	DB Type	Site Name/ID/Status	Address	Dist/Dir	Map ID	ElevDiff
1	LUST	MIDWESTERN ENTERPRISES 25008015-N00001/FACILITY INACTIVE	5016 POST RD DUBLIN OH 43017	0.15 NW	2	+ 6
1	LUST	MIDWESTERN AUTO GROUP BODY SHOP 25010169-N00001/FACILITY INACTIVE	5006 POST RD DUBLIN OH 43017	0.15 NW	3	+ 6
2	LUST	MIDWESTERN AUTO GROUP 259023300/NO FURTHER ACTION	5016 POST RD DUBLIN OH 43017	0.15 NW	2	+ 6
3	LUST	SLMC LTD 25001147-N00001/FACILITY INACTIVE	5131 POST RD DUBLIN OH 43017	0.25 NW	6	+ 6
3	LUST	MONRO/PROCARE 876 25001538-N00002/FACILITY INACTIVE	218 W BRIDGE ST DUBLIN OH 43017	0.26 NE	7	- 8
4	LUST	MONRO/PROCARE 876 25001538-N00001/FACILITY INACTIVE	218 W BRIDGE ST DUBLIN OH 43017	0.26 NE	7	- 8
4	LUST	DUBLIN SOHIO INC 25001536-N00001/FACILITY ACTIVE	215 W BRIDGE ST DUBLIN OH 43017	0.27 NE	8	- 8
5	LUST	SPV-BRIDGE LLC 25001163-N00001/FACILITY INACTIVE	201 W BRIDGE ST DUBLIN OH 43017	0.37 NE	9	- 10
5	LUST	OCLC ONLINE COMPUTER LIBRARY CTR 25001226-N00001/FACILITY INACTIVE	6565 FRANTZ RD DUBLIN OH 43017	0.38 NW	10	+ 15
6	LUST	CITY OF DUBLIN 25001094-N00001/FACILITY INACTIVE	191 W BRIDGE ST DUBLIN OH 43017	0.39 NE	11	- 10
6	LUST	CITY OF DUBLIN 25001094-N00002/FACILITY INACTIVE	191 W BRIDGE ST DUBLIN OH 43017	0.39 NE	11	- 10
7	LUST	CITY OF DUBLIN 25001094-N00003/FACILITY INACTIVE	191 W BRIDGE ST DUBLIN OH 43017	0.39 NE	11	- 10
13	OTHER	DUBLIN MEDICAL MALL OHO-0606-844	6350 FRANTZ RD DUBLIN OH 43017	NON GC		N/A
14	OTHER	DUBLIN FAMILY CARE QUEST DIAGNOSTI OHO-1006-266936	250 W BRIDGE ST DUBLIN OH 43017	NON GC		N/A
15	OTHER	QUEST DIAGNOSTICS INC FRANTZ RD OHO-1006-252903	6350 FRANTZ STE RD DUBLIN OH 43017	NON GC		N/A
16	OTHER	DUBLIN FAMILY CARE INC 25-G-00910	250 W BRIDGE ST DUBLIN OH 43017	NON GC		N/A
8	RCRAGN	SWAN CLEANERS 20 OHD981198674/SGN	317 W BRIDGE ST DUBLIN OH 43017	0.17 NE	4	- 11
9	RCRAGN	KROGER STORE 350 OHR000144592/VGN	299 W BRIDGE ST DUBLIN OH 43017	0.25 NE	5	- 9
10	SPILLS	OHSP-0308-3894	5100 UPPER METRO PL COLUMBUS OH 43017	0.09 SW	1	+ 6
11	SPILLS	RYDER TRUCK RENTAL and LEASING, IN 2001-549	5100 UPPER METRO PL DUBLIN OH 43017	0.09 SW	1	+ 6

Environmental FirstSearch
Site Detail Report

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

LUST

SEARCH ID: 11 **DIST/DIR:** 0.15 NW **ELEVATION:** 870 **MAP ID:** 2

NAME: MIDWESTERN ENTERPRISES	REV: 11/10/09
ADDRESS: 5016 POST RD	ID1: 25008015-N00001
DUBLIN OH 43017	ID2:
FRANKLIN	STATUS: FACILITY INACTIVE
CONTACT:	PHONE:

SITE INFORMATION

RELEASE NUMBER:	25008015-N00001
RELEASE DATE:	
PRIORITY:	2
REVIEW DATE:	
LTF STATUS:	Suspected or Confirmed release from regulated UST
FR STATUS:	NFA: No Further Action

LUST

SEARCH ID: 10 **DIST/DIR:** 0.15 NW **ELEVATION:** 870 **MAP ID:** 3

NAME: MIDWESTERN AUTO GROUP BODY SHOP	REV: 11/10/09
ADDRESS: 5006 POST RD	ID1: 25010169-N00001
DUBLIN OH 43017	ID2:
FRANKLIN	STATUS: FACILITY INACTIVE
CONTACT:	PHONE:

SITE INFORMATION

RELEASE NUMBER:	25010169-N00001
RELEASE DATE:	
PRIORITY:	2
REVIEW DATE:	
LTF STATUS:	Suspected or Confirmed release from regulated UST
FR STATUS:	NFA: No Further Action

Environmental FirstSearch
Site Detail Report

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

LUST

SEARCH ID: 9 **DIST/DIR:** 0.15 NW **ELEVATION:** 870 **MAP ID:** 2

NAME: MIDWESTERN AUTO GROUP	REV: 08-25-99
ADDRESS: 5016 POST RD	ID1: 259023300
DUBLIN OH	ID2: 259023300
FRANKLIN	STATUS: NO FURTHER ACTION
CONTACT:	PHONE:

REPORT 2590233 **TRACKING** 0 **FACILITY ID:** **PRIORITY:** LOW
INCIDENT: DESIGNATES THE CLOSURE OF A UST
CLASS: KNOWN/SUSPECTED OR CONFIRMED SOURCE AND RESPONSIBLE PERSON IS PROCEEDING VOLUNTARILY
STATUS: NO FURTHER ACTION

OPERATOR:	OWNER:
ADDRESS:	ADDRESS:
OH	OH
PHONE:	PHONE:

INSPECTOR:	COORDINATOR: FICHE
AUTHORIZED BY: GILL	AUTH DATE: 04/12/99
REVISED: 04/15/99	
EMERGENCY RESPONSE:	

REMARKS:

SUMMARY: 2/26/99 CLOSURE REPORT REC D---12/4/98 (1) 550G WASTE OIL REMOVED

Environmental FirstSearch
Site Detail Report

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

LUST

SEARCH ID: 15 **DIST/DIR:** 0.25 NW **ELEVATION:** 870 **MAP ID:** 6

NAME: SLMC LTD **REV:** 11/10/09
ADDRESS: 5131 POST RD **ID1:** 25001147-N00001
DUBLIN OH 43017 **ID2:**
FRANKLIN **STATUS:** FACILITY INACTIVE
CONTACT: **PHONE:**

SITE INFORMATION

RELEASE NUMBER: 25001147-N00001
RELEASE DATE: 2008-06-17 00:00:00
PRIORITY: 2
REVIEW DATE:
LTF STATUS: Closure of regulated UST
FR STATUS: NFA: No Further Action

LUST

SEARCH ID: 13 **DIST/DIR:** 0.26 NE **ELEVATION:** 856 **MAP ID:** 7

NAME: MONRO/PROCARE 876 **REV:** 11/10/09
ADDRESS: 218 W BRIDGE ST **ID1:** 25001538-N00002
DUBLIN OH 43017 **ID2:**
FRANKLIN **STATUS:** FACILITY INACTIVE
CONTACT: **PHONE:**

SITE INFORMATION

RELEASE NUMBER: 25001538-N00002
RELEASE DATE: 2006-10-31 00:00:00
PRIORITY: 2
REVIEW DATE:
LTF STATUS: Closure of regulated UST
FR STATUS: NFA: No Further Action

Environmental FirstSearch
Site Detail Report

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

LUST

SEARCH ID: 12 **DIST/DIR:** 0.26 NE **ELEVATION:** 856 **MAP ID:** 7

NAME: MONRO/PROCARE 876 **REV:** 11/10/09
ADDRESS: 218 W BRIDGE ST **ID1:** 25001538-N00001
DUBLIN OH 43017 **ID2:**
FRANKLIN **STATUS:** FACILITY INACTIVE
CONTACT: **PHONE:**

SITE INFORMATION

RELEASE NUMBER: 25001538-N00001
RELEASE DATE: 2001-07-10 00:00:00
PRIORITY: 2
REVIEW DATE:
LTF STATUS: Suspected or Confirmed release from regulated UST
FR STATUS: DIS: a release is disproved

LUST

SEARCH ID: 8 **DIST/DIR:** 0.27 NE **ELEVATION:** 856 **MAP ID:** 8

NAME: DUBLIN SOHIO INC **REV:** 11/10/09
ADDRESS: 215 W BRIDGE ST **ID1:** 25001536-N00001
DUBLIN OH 43017 **ID2:**
FRANKLIN **STATUS:** FACILITY ACTIVE
CONTACT: **PHONE:**

SITE INFORMATION

RELEASE NUMBER: 25001536-N00001
RELEASE DATE: 1989-05-01 00:00:00
PRIORITY: 2
REVIEW DATE:
LTF STATUS: Suspected or Confirmed release from regulated UST
FR STATUS: TR2: Tier 2

**Environmental FirstSearch
Site Detail Report**

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

LUST

SEARCH ID: 16 **DIST/DIR:** 0.37 NE **ELEVATION:** 854 **MAP ID:** 9

NAME: SPV-BRIDGE LLC	REV: 11/10/09
ADDRESS: 201 W BRIDGE ST	ID1: 25001163-N00001
DUBLIN OH 43017	ID2:
FRANKLIN	STATUS: FACILITY INACTIVE
CONTACT:	PHONE:

SITE INFORMATION

RELEASE NUMBER:	25001163-N00001
RELEASE DATE:	2003-08-21 00:00:00
PRIORITY:	2
REVIEW DATE:	
LTF STATUS:	Suspected or Confirmed release from regulated UST
FR STATUS:	NFA: No Further Action

LUST

SEARCH ID: 14 **DIST/DIR:** 0.38 NW **ELEVATION:** 879 **MAP ID:** 10

NAME: OCLC ONLINE COMPUTER LIBRARY CTR	REV: 11/10/09
ADDRESS: 6565 FRANTZ RD	ID1: 25001226-N00001
DUBLIN OH 43017	ID2:
FRANKLIN	STATUS: FACILITY INACTIVE
CONTACT:	PHONE:

SITE INFORMATION

RELEASE NUMBER:	25001226-N00001
RELEASE DATE:	1999-02-18 00:00:00
PRIORITY:	2
REVIEW DATE:	
LTF STATUS:	Suspected or Confirmed release from regulated UST
FR STATUS:	NFA: No Further Action

Environmental FirstSearch
Site Detail Report

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

LUST

SEARCH ID: 5 **DIST/DIR:** 0.39 NE **ELEVATION:** 854 **MAP ID:** 11

NAME: CITY OF DUBLIN
ADDRESS: 191 W BRIDGE ST
DUBLIN OH 43017
FRANKLIN

REV: 11/10/09
ID1: 25001094-N00001
ID2:
STATUS: FACILITY INACTIVE
PHONE:

CONTACT:

SITE INFORMATION

RELEASE NUMBER: 25001094-N00001
RELEASE DATE:
PRIORITY: 1
REVIEW DATE:
LTF STATUS: Suspected or Confirmed release from regulated UST
FR STATUS: NFA: No Further Action

LUST

SEARCH ID: 6 **DIST/DIR:** 0.39 NE **ELEVATION:** 854 **MAP ID:** 11

NAME: CITY OF DUBLIN
ADDRESS: 191 W BRIDGE ST
DUBLIN OH 43017
FRANKLIN

REV: 11/10/09
ID1: 25001094-N00002
ID2:
STATUS: FACILITY INACTIVE
PHONE:

CONTACT:

SITE INFORMATION

RELEASE NUMBER: 25001094-N00002
RELEASE DATE: 2005-12-15 00:00:00
PRIORITY: 2
REVIEW DATE:
LTF STATUS: Suspected or Confirmed release from regulated UST
FR STATUS: NFA: No Further Action

***Environmental FirstSearch
Site Detail Report***

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

LUST

SEARCH ID: 7	DIST/DIR: 0.39 NE	ELEVATION: 854	MAP ID: 11
---------------------	--------------------------	-----------------------	-------------------

NAME: CITY OF DUBLIN
ADDRESS: 191 W BRIDGE ST
DUBLIN OH 43017
FRANKLIN

REV: 11/10/09
ID1: 25001094-N00003
ID2:
STATUS: FACILITY INACTIVE
PHONE:

CONTACT:

SITE INFORMATION

RELEASE NUMBER:	25001094-N00003
RELEASE DATE:	2005-08-10 00:00:00
PRIORITY:	2
REVIEW DATE:	
LTF STATUS:	Closure of regulated UST
FR STATUS:	NFA: No Further Action

Environmental FirstSearch Site Detail Report

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

RCRAGN

SEARCH ID: 2 **DIST/DIR:** 0.17 NE **ELEVATION:** 853 **MAP ID:** 4

<p>NAME: SWAN CLEANERS 20 ADDRESS: 317 W BRIDGE ST DUBLIN OH 43017 FRANKLIN CONTACT:</p>	<p>REV: 1/13/10 ID1: OHD981198674 ID2: STATUS: SGN PHONE:</p>
---	--

SITE INFORMATION

CONTACT INFORMATION: JULIA KEES
247 S HIGH ST
COLUMBUS OH 43215

PHONE: 6148897700

UNIVERSE INFORMATION:

GOVERNMENT PERFORMANCE AND RESULTS ACT (GPRA)

GPRA PERMIT:	N - NO
GPRA POST CLOSURE:	N - NO
GPRA CA:	N - NO
GPRA COMPLIANCE MONITORING and ENFORCEMENT:	N - NO

SUBJECT TO CORRECTIVE ACTION (SUBJCA)

SUBJCA:	N - NO
SUBJCA TSD 3004:	N - NO
SUBJCA NON TSD:	N - NO

SIGNIFICANT NON-COMPLIANCE(SNC):	N - NO
BEGINNING OF THE YEAR SNC:	N - NO
PERMIT WORKLOAD:	----
CLOSURE WORKLOAD:	----
POST CLOSURE WORKLOAD:	----
PERMITTING /CLOSURE/POST-CLOSURE PROGRESS:	----
CORRECTIVE ACTION WORKLOAD:	N - NO
GENERATOR STATUS:	SQG - SMALL QUANTITY GENERATOR: GENERATES 100 - 1000
KG/MONTH OF HAZARDOUS WASTE	

NAIC INFORMATION

ENFORCEMENT INFORMATION:

VIOLATION INFORMATION:

HAZARDOUS WASTE INFORMATION:

The following spent halogenated solvents: Tetrachloroethylene, methylene chloride, trichloroethylene, 1,1,1-trichloroethane, chlorobenzene, 1,1,2-trichloro-1,2,2-trifluoroethane, ortho-dichlorobenzene, trichlorofluoromethane

Environmental FirstSearch Site Detail Report

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

RCRAGN

SEARCH ID: 1 **DIST/DIR:** 0.25 NE **ELEVATION:** 855 **MAP ID:** 5

NAME: KROGER STORE 350	REV: 1/13/10
ADDRESS: 299 W BRIDGE ST	ID1: OHR000144592
DUBLIN OH 43017	ID2:
FRANKLIN	STATUS: VGN
CONTACT:	PHONE:

CONTACT INFORMATION:

JIM WARD
6148983506
JIM.WARD KROGER.COM

UNIVERSE INFORMATION:

GOVERNMENT PERFORMANCE AND RESULTS ACT (GPRA)

GPRA CA BASELINE UNIVERSE: NO
GPRA CA 2008: NO

SUBJECT TO CORRECTIVE ACTION (SUBJCA)

SUBJCA: NO
SUBJCA TSD 3004: NO
SUBJCA NON TSD: NO
SUBJCA TSD DISCRETION: NO

PERMIT WORKLOAD: ----
CLOSURE WORKLOAD: ----
POST CLOSURE WORKLOAD: ----

PERMITTING /CLOSURE/POST-CLOSURE PROGRESS: ----
CORRECTIVE ACTION WORKLOAD: NO
GENERATOR STATUS: CEG
TRANSPORTER: NO
UNIVERSAL WASTE: NO
RECYCLER: NO
USED OIL: NO
IMPORTER: NO
MIXED WASTE GENERATOR: NO
ONSITE BURNER EXEMPT: NO
FURNACE EXEMPTION: NO
UNDERGROUND INJECTION: NO

NAIC 1: Supermarkets and Other Grocery (except Convenience) Stores
NAIC 2:
NAIC 3:
NAIC 4:

***Environmental FirstSearch
Site Detail Report***

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

SPILLS

SEARCH ID: 4 **DIST/DIR:** 0.09 SW **ELEVATION:** 870 **MAP ID:** 1

NAME:		REV:	3/30/08
ADDRESS:	5100 UPPER METRO PL	ID1:	OHSP-0308-3894
	COLUMBUS OH	ID2:	3894
	FRANKLIN	STATUS:	
CONTACT:		PHONE:	

SITE INFORMATION

SPILL YEAR:	2007
SPILL NUMBER:	3894
DATE REPORTED:	10/17/2007 00:00:00
PRODUCT:	DUST
REPORTED BY:	ANONYMOUS
SUSPECTED SPILLER:	EMBASSY SUITES HOTEL

Environmental FirstSearch Site Detail Report

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

SPILLS

SEARCH ID: 3 **DIST/DIR:** 0.09 SW **ELEVATION:** 870 **MAP ID:** 1

NAME: RYDER TRUCK RENTAL and LEASING, INC.	REV: 4/22/04
ADDRESS: 5100 UPPER METRO PL	ID1: 2001-549
DUBLIN OH	ID2: 549.00
FRANKLIN	STATUS:
CONTACT:	PHONE:

SITE INFORMATION

SITE INFORMATION

SITE INFORMATION

SITE INFORMATION

SPILL YEAR: 2001
SPILL NUMBER: 549
REPORT DATE: 2/16/2001
PRODUCT: DIESEL FUEL
AMOUNT: 25
SIZE: SMALL = 0-499 GALLONS OR 0-3,999 LBS
TYPE: HYDROCARBON
WATERWAY: SCIOTO RIVER VIA INDIAN RUN VIA STORM SEWERS
STREAM MILES: 1

SPILL YEAR: 2001
SPILL NUMBER: 549
REPORT DATE: 2/16/2001
PRODUCT: DIESEL FUEL
AMOUNT: 25
SIZE: SMALL = 0-499 GALLONS OR 0-3,999 LBS
TYPE: HYDROCARBON
WATERWAY: SCIOTO RIVER VIA INDIAN RUN VIA STORM SEWERS
STREAM MILES: 1

SPILL YEAR: 2001
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PRODUCT: DIESEL FUEL
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SPILL YEAR: 2001
SPILL NUMBER: 549
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AMOUNT: 25
SIZE: SMALL = 0-499 GALLONS OR 0-3,999 LBS
TYPE: HYDROCARBON
WATERWAY: SCIOTO RIVER VIA INDIAN RUN VIA STORM SEWERS
STREAM MILES: 1

SPILL YEAR: 2001
SPILL NUMBER: 549
REPORT DATE: 2/16/2001
PRODUCT: DIESEL FUEL

- Continued on next page -

Environmental FirstSearch Site Detail Report

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

SPILLS

SEARCH ID: 3	DIST/DIR: 0.09 SW	ELEVATION: 870	MAP ID: 1
---------------------	--------------------------	-----------------------	------------------

NAME: RYDER TRUCK RENTAL and LEASING, INC.	REV: 4/22/04
ADDRESS: 5100 UPPER METRO PL	ID1: 2001-549
DUBLIN OH	ID2: 549.00
FRANKLIN	STATUS:
CONTACT:	PHONE:

AMOUNT: 25
SIZE: SMALL = 0-499 GALLONS OR 0-3,999 LBS
TYPE: HYDROCARBON
WATERWAY: SCIOTO RIVER VIA INDIAN RUN VIA STORM SEWERS
STREAM MILES: 1

SPILL YEAR: 2001
SPILL NUMBER: 549
REPORT DATE: 2/16/2001
PRODUCT: DIESEL FUEL
AMOUNT: 25
SIZE: SMALL = 0-499 GALLONS OR 0-3,999 LBS
TYPE: HYDROCARBON
WATERWAY: SCIOTO RIVER VIA INDIAN RUN VIA STORM SEWERS
STREAM MILES: 1

SPILL YEAR: 2001
SPILL NUMBER: 549
REPORT DATE: 2/16/2001
PRODUCT: DIESEL FUEL
AMOUNT: 25
SIZE: SMALL = 0-499 GALLONS OR 0-3,999 LBS
TYPE: HYDROCARBON
WATERWAY: SCIOTO RIVER VIA INDIAN RUN VIA STORM SEWERS
STREAM MILES: 1

SPILL YEAR: 2001
SPILL NUMBER: 549
REPORT DATE: 2/16/2001
PRODUCT: DIESEL FUEL
AMOUNT: 25
SIZE: SMALL = 0-499 GALLONS OR 0-3,999 LBS
TYPE: HYDROCARBON
WATERWAY: SCIOTO RIVER VIA INDIAN RUN VIA STORM SEWERS
STREAM MILES: 1

Environmental FirstSearch
Site Detail Report

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

OTHER

SEARCH ID: 19 **DIST/DIR:** NON GC **ELEVATION:** **MAP ID:**

NAME: DUBLIN MEDICAL MALL **REV:** 1/8/08
ADDRESS: 6350 FRANTZ RD **ID1:** OHO-0606-844
DUBLIN OH 43017 **ID2:** 25-G-00599
CONTACT: **STATUS:**
PHONE:

SITE INFORMATION

FACILITY TYPE 1: **CLASS:** **PROG ADMIN:**
SWMD ID:
SWMD:

REGISTRATION NUMBER: 25-G-00599
DATE REGISTERED:
LICENSE EXPIRES: 11/19/2010

OPERATOR:

PHONE:

LIC HOLDER:

PHONE:

OWNER:

PHONE:

LAST UPDATE: **LIC FEE:**
ASBESTOS: **CAPTIVE:**
CURRENTLY LIC: **CLOSED FAC:**
YEAR CLOSED: **CORE ID:** 136004

COMMENT:

Environmental FirstSearch
Site Detail Report

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

OTHER

SEARCH ID: 18 **DIST/DIR:** NON GC **ELEVATION:** **MAP ID:**

NAME: DUBLIN FAMILY CARE QUEST DIAGNOSTICS **REV:** 1/8/08
ADDRESS: 250 W BRIDGE ST **ID1:** OHO-1006-266936
DUBLIN OH 43017 **ID2:** 31-G-01454
CONTACT: **STATUS:**
 PHONE:

SITE INFORMATION

FACILITY TYPE 1: **CLASS:** **PROG ADMIN:**
SWMD ID:
SWMD:

REGISTRATION NUMBER: 31-G-01454
DATE REGISTERED:
LICENSE EXPIRES: 9/29/2009

OPERATOR:

PHONE:

LIC HOLDER:

PHONE:

OWNER:

PHONE:

LAST UPDATE: **LIC FEE:**
ASBESTOS: **CAPTIVE:**
CURRENTLY LIC: **CLOSED FAC:**
YEAR CLOSED: **CORE ID:** 266936

COMMENT:

Environmental FirstSearch
Site Detail Report

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

OTHER

SEARCH ID: 20 **DIST/DIR:** NON GC **ELEVATION:** **MAP ID:**

NAME: QUEST DIAGNOSTICS INC FRANTZ RD **REV:** 1/8/08
ADDRESS: 6350 FRANTZ STE RD **ID1:** OHO-1006-252903
DUBLIN OH 43017 **ID2:** 31-G-01454
CONTACT: **STATUS:**
 PHONE:

SITE INFORMATION

FACILITY TYPE 1: **CLASS:** **PROG ADMIN:**
SWMD ID:
SWMD:

REGISTRATION NUMBER: 31-G-01454
DATE REGISTERED:
LICENSE EXPIRES: 9/29/09

OPERATOR:

PHONE:

LIC HOLDER:

PHONE:

OWNER:

PHONE:

LAST UPDATE: **LIC FEE:**
ASBESTOS: **CAPTIVE:**
CURRENTLY LIC: **CLOSED FAC:**
YEAR CLOSED: **CORE ID:** 252903

COMMENT:

Environmental FirstSearch
Site Detail Report

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

OTHER

SEARCH ID: 17 **DIST/DIR:** NON GC **ELEVATION:** **MAP ID:**

NAME: DUBLIN FAMILY CARE INC	REV: 1/8/08
ADDRESS: 250 W BRIDGE ST DUBLIN OH 43017	ID1: 25-G-00910
	ID2: 25-G-00910
CONTACT:	STATUS:
	PHONE:

SITE INFORMATION

FACILITY TYPE 1:	CLASS:	PROG ADMIN:
SWMD ID:		
SWMD:		

REGISTRATION NUMBER: 25-G-00910
DATE REGISTERED:
LICENSE EXPIRES: 8/18/08

OPERATOR:

PHONE:

LIC HOLDER:

PHONE:

OWNER:

PHONE:

LAST UPDATE:	LIC FEE:	
ASBESTOS:	CAPTIVE:	
CURRENTLY LIC:	CLOSED FAC:	
YEAR CLOSED:	CORE ID: 24185	

COMMENT:

FACILITY TYPE 1:	CLASS:	PROG ADMIN:
SWMD ID:		
SWMD:		

REGISTRATION NUMBER: 25-G-00910
DATE REGISTERED:
LICENSE EXPIRES: 8/18/08

OPERATOR:

PHONE:

LIC HOLDER:

PHONE:

- Continued on next page -

***Environmental FirstSearch
Site Detail Report***

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

OTHER

SEARCH ID: 17 **DIST/DIR:** NON GC **ELEVATION:** **MAP ID:**

NAME: DUBLIN FAMILY CARE INC	REV: 1/8/08
ADDRESS: 250 W BRIDGE ST DUBLIN OH 43017	ID1: 25-G-00910
	ID2: 25-G-00910
CONTACT:	STATUS:
	PHONE:

OWNER:

PHONE:

LAST UPDATE:	LIC FEE:
ASBESTOS:	CAPTIVE:
CURRENTLY LIC:	CLOSED FAC:
YEAR CLOSED:	CORE ID: 24185

COMMENT:

FACILITY TYPE 1:	CLASS:	PROG ADMIN:
SWMD ID:		
SWMD:		

REGISTRATION NUMBER:	25-G-00910
DATE REGISTERED:	
LICENSE EXPIRES:	8/18/2008

OPERATOR:

PHONE:

LIC HOLDER:

PHONE:

OWNER:

PHONE:

LAST UPDATE:	LIC FEE:
ASBESTOS:	CAPTIVE:
CURRENTLY LIC:	CLOSED FAC:
YEAR CLOSED:	CORE ID: 135129

COMMENT:

Environmental FirstSearch Descriptions

NPL: EPA NATIONAL PRIORITY LIST - The National Priorities List is a list of the worst hazardous waste sites that have been identified by Superfund. Sites are only put on the list after they have been scored using the Hazard Ranking System (HRS), and have been subjected to public comment. Any site on the NPL is eligible for cleanup using Superfund Trust money.

A Superfund site is any land in the United States that has been contaminated by hazardous waste and identified by the Environmental Protection Agency (EPA) as a candidate for cleanup because it poses a risk to human health and/or the environment.

FINAL - Currently on the Final NPL

PROPOSED - Proposed for NPL

NPL DELISTED: EPA NATIONAL PRIORITY LIST Subset - Database of delisted NPL sites. The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

DELISTED - Deleted from the Final NPL

CERCLIS: EPA COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY INFORMATION SYSTEM (CERCLIS)- CERCLIS is a database of potential and confirmed hazardous waste sites at which the EPA Superfund program has some involvement. It contains sites that are either proposed to be or are on the National Priorities List (NPL) as well as sites that are in the screening and assessment phase for possible inclusion on the NPL.

PART OF NPL- Site is part of NPL site

DELETED - Deleted from the Final NPL

FINAL - Currently on the Final NPL

NOT PROPOSED - Not on the NPL

NOT VALID - Not Valid Site or Incident

PROPOSED - Proposed for NPL

REMOVED - Removed from Proposed NPL

SCAN PLAN - Pre-proposal Site

WITHDRAWN - Withdrawn

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

NFRAP – No Further Remedial Action Plan

P - Site is part of NPL site

D - Deleted from the Final NPL

F - Currently on the Final NPL

N - Not on the NPL

O - Not Valid Site or Incident

P - Proposed for NPL

R - Removed from Proposed NPL

S - Pre-proposal Site

W – Withdrawn

RCRA COR ACT: EPA RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM SITES - Database of hazardous waste information contained in the Resource Conservation and Recovery Act Information (RCRAInfo), a national program management and inventory system about hazardous waste handlers. In general, all generators, transporters, treaters, storers, and disposers of hazardous waste are required to provide information about their activities to state environmental agencies. These agencies, in turn pass on the information to regional and national EPA offices. This regulation is governed by the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984.

RCRAInfo facilities that have reported violations and subject to corrective actions.

RCRA TSD: EPA RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM

TREATMENT, STORAGE, and DISPOSAL FACILITIES. - Database of hazardous waste information contained in the Resource Conservation and Recovery Act Information (RCRAInfo), a national program management and inventory system about hazardous waste handlers. In general, all generators, transporters, treaters, storers, and disposers of hazardous waste are required to provide information about their activities to state environmental agencies. These agencies, in turn pass on the information to regional and national EPA offices. This regulation is governed by the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984.

Facilities that treat, store, dispose, or incinerate hazardous waste.

RCRA GEN: EPA/MA DEP/CT DEP RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM GENERATORS - Database of hazardous waste information contained in the Resource Conservation and Recovery Act Information (RCRAInfo), a national program management and inventory system about hazardous waste handlers. In general, all generators, transporters, treaters, storers, and disposers of hazardous waste are required to provide information about their activities to state environmental agencies. These agencies, in turn pass on the information to regional and national EPA offices. This regulation is governed by the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984.

Facilities that generate or transport hazardous waste or meet other RCRA requirements.

LGN - Large Quantity Generators

SGN - Small Quantity Generators

VGN – Conditionally Exempt Generator.

Included are RAATS (RCRA Administrative Action Tracking System) and CMEL (Compliance Monitoring & Enforcement List) facilities.

CONNECTICUT HAZARDOUS WASTE MANIFEST – Database of all shipments of hazardous waste within, into or from Connecticut. The data includes date of shipment, transporter and TSD info, and material shipped and quantity. This data is appended to the details of existing generator records.

MASSACHUSETTES HAZARDOUS WASTE GENERATOR – database of generators that are regulated under the MA DEP.

VQN-MA = generates less than 220 pounds or 27 gallons per month of hazardous waste or waste oil.

SQN-MA = generates 220 to 2,200 pounds or 27 to 270 gallons per month of waste oil.

LQG-MA = generates greater than 2,200 lbs of hazardous waste or waste oil per month.

Federal IC / EC: EPA BROWNFIELD MANAGEMENT SYSTEM (BMS) - database designed to assist EPA in collecting, tracking, and updating information, as well as reporting on the major activities and accomplishments of the various Brownfield grant Programs.

FEDERAL ENGINEERING AND INSTITUTIONAL CONTROLS- Superfund sites that have either an engineering or an institutional control. The data includes the control and the media contaminated.

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

Tribal Lands: DOI/BIA INDIAN LANDS OF THE UNITED STATES - Database of 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. The Indian Lands of the United States map layer shows areas of 640 acres or more, administered by the Bureau of Indian Affairs. Included are Federally-administered lands within a reservation which may or may not be considered part of the reservation.

BUREAU OF INDIAN AFFIARS CONTACT - Regional contact information for the Bureau of Indian Affairs offices.

State/Tribal Sites: OH EPA DIVISION OF EMERGENCY AND REMEDIAL RESPONSE DATABASE(DERR) - database of basic information regarding name and status in the Voluntary Action Program, for potentially contaminated sites that are maintained by district offices in Ohio.

State Spills 90: OH EPA SPILL LOCATIONS - database of spills reported to the Ohio Environmental Protection Agency since 1990.

State/Tribal SWL: OH EPA WASTE FACILITIES - The Database of all Compost and Demolition Debris,

Industrial and Residual Waste, Municipal Solid Waste Landfills and Municipal and Solid Waste Transfer Facilities are maintained by the Division of Solid and Infectious Waste Management.

State/Tribal LUST: OH FMO FACILITIES WITH ACTIVE RELEASES FROM REGULATED TANKS - database of leaking underground storage tanks reported to the Ohio Fire Marshal's office.

State/Tribal UST/AST: OH FMO LIST OF ACTIVE REGISTERED FACILITIES - database of all registered underground storage tanks.

State/Tribal VCP: OH EPA BROWNFIELD INVENTORY (Subset)- database of sites that have voluntary submitted information to the inventory as part of the Site Assessment and Brownfield Revitalization Program (SABR) and over seen by the Voluntary Action Program .

State/Tribal Brownfields: OH EPA BROWNFIELD INVENTORY - database of sites that have voluntary submitted information to the inventory as part of the Site Assessment and Brownfield Revitalization Program (SABR).

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

State Other: US DOJ NATIONAL CLANDESTINE LABORATORY REGISTER - Database of addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the U.S. Department of Justice ("the Department"), and the Department has not verified the entry and does not guarantee its accuracy. All sites that are included in this data set will have an id that starts with NCLR.

State Other: OH EPA WASTE FACILITIES SUBSET - database of all Compost Facilities, Infectious Waste, Scrap Tire Facilities, and Transfer Stations. The database also includes a historical Master Site Listing of all Hazardous Waste Inventory Sites.

Environmental FirstSearch
Street Name Report for Streets within .25 Mile(s) of Target Property

Target Property: 5000 UPPER METRO PL
DUBLIN OH 43017

JOB: 10-E-15629

Street Name	Dist/Dir	Street Name	Dist/Dir
Alchester Manor	0.22 SE		
Alwick Abbey	0.25 SE		
Amersham Ct	0.25 SE		
Carrowmoor Ct	0.22 SE		
Columbus Marysville	0.08 NE		
Columbus-Marysville	0.06 NW		
Corbins Mill Dr	0.19 SE		
Edinburgh Rd	0.25 SE		
Frantz Rd	0.04 SE		
Metro Pl N	0.18 SW		
Post Rd	0.09 NE		
Shawan Falls Dr	0.24 NE		
State Route 161	0.06 NW		
United States Highwa	0.06 NW		
Upper Metro Pl	0.05 SE		
W Bridge St	0.08 NE		

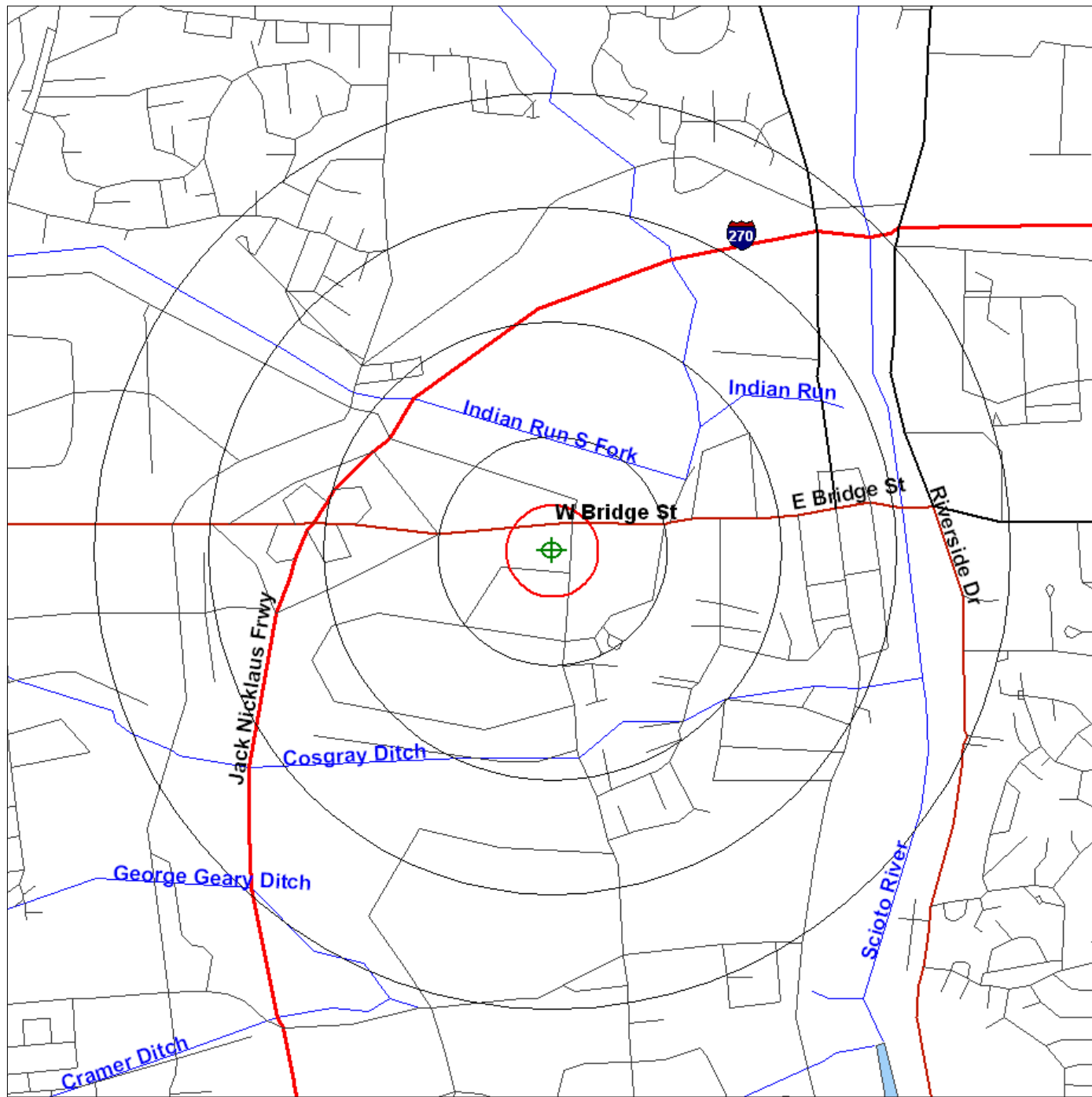


Environmental FirstSearch

1 Mile Radius
ASTM-05: NPL, RCACOR, STATE



5000 UPPER METRO PL, DUBLIN OH 43017



Source: 2005 U.S. Census TIGER Files

Target Site (Latitude: 40.09824 Longitude: -83.12536)

Identified Site, Multiple Sites, Receptor

NPL, DELNPL, Brownfield, Solid Waste Landfill (SWL), Hazardous Waste

Triballand.....

Railroads

Black Rings Represent 1/4 Mile Radius; Red Ring Represents 500 ft. Radius



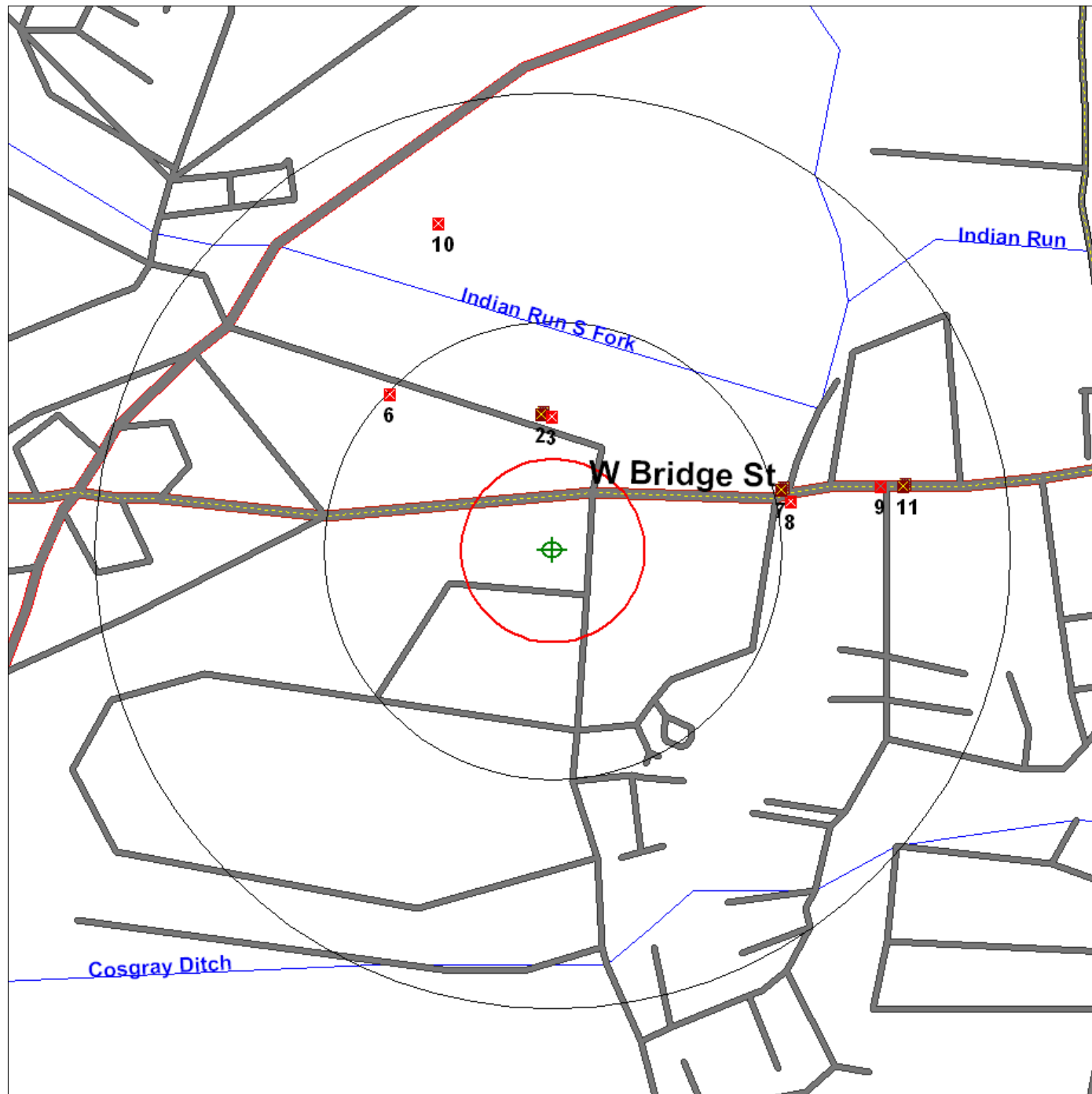


Environmental FirstSearch

.5 Mile Radius
ASTM-05: Multiple Databases



5000 UPPER METRO PL, DUBLIN OH 43017



Source: 2005 U.S. Census TIGER Files

Target Site (Latitude: 40.09824 Longitude: -83.12536)

Identified Site, Multiple Sites, Receptor

NPL, DELNPL, Brownfield, Solid Waste Landfill (SWL), Hazardous Waste

Triballand.....

Railroads

Black Rings Represent 1/4 Mile Radius; Red Ring Represents 500 ft. Radius



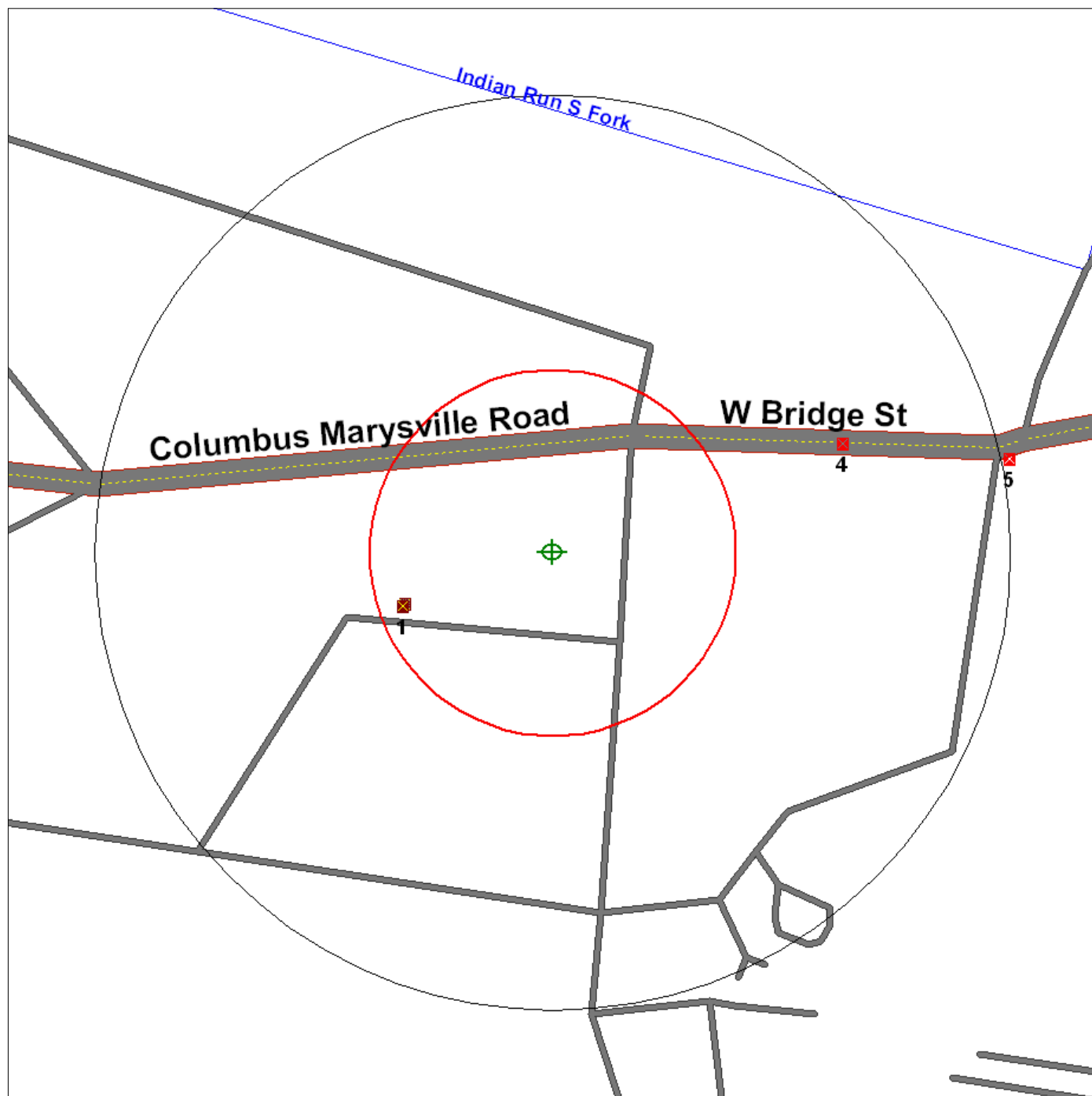


Environmental FirstSearch

.25 Mile Radius
ASTM-05: SPILLS90, RCRA GEN, ERNS, UST



5000 UPPER METRO PL, DUBLIN OH 43017



Source: 2005 U.S. Census TIGER Files

- Target Site (Latitude: 40.09824 Longitude: -83.12536)
- Identified Site, Multiple Sites, Receptor
- NPL, DELNPL, Brownfield, Solid Waste Landfill (SWL), Hazardous Waste
- Triballand.....
- Railroads
- Black Rings Represent 1/4 Mile Radius; Red Ring Represents 500 ft. Radius





March 8, 2010

VIA FACSIMILE

fax: 614/644-3250
Ms. Cindy Stanwick
Ohio EPA Emergency Response Section
Lazarus Government Center
P.O. Box 1049
Columbus, OH 43216-0149

Reference: SPILLS Information Request

Dear Ms. Cindy Stanwick:

We are requesting a copy of any file records for the following SPILLS incidents:

ADDRESS: Embassy Suites Hotel, 5100 Upper Metro Place, Columbus, Ohio
ID1: OHSP-0308-3894
ID2: 3894
Franklin County

ADDRESS: Ryder Truck Rental, 5100 Upper Metro Place, Dublin, Ohio
ID1: 2001-549
ID2: 549.00
Franklin County

Please call me at (614) 895-1400 if you have any questions or need additional information.

Thank you for assistance with this request and we look forward to your reply.

Sincerely,

Geotechnical Consultants, Inc. (GCI)

A handwritten signature in blue ink that reads 'Kevin J. Fulk'.

Kevin J. Fulk, MBA, EP

Cc: File

FAXED
2:00 pm



122 S. Front St. Columbus OH 43215

(614) 644-2924

Emergency Response Section - Initial Pollution Incident Report (IPIR)

3/9/2010

Spill Id Number: 0710-25-3894//0

District: CD

Reported By: ANONYMOUS	Reported: 10/17/2007 18:00
Title: CIT	Discovered: 10/17/2007 17:00
Telephone: (000) 000-0000 ext:	Occurred: 00/00/0000
Affiliation: CITIZEN	Chronic: N

County: FRANKLIN

City/Township: COLUMBUS

Did Spiller Report ? N

Complaint ? Y

Received By: HOLMES, CHRIS

Priority: 4

Local EPC ? N

Did you tell the Spiller to Call the N.R.C ? N

Business: N

SARA Report: N

Suspected Spiller: EMBASSY SUITES HOTEL

Mailing Address: N/A

Telephone: (000) 000-0000 **ext:**

Location: 5100 UPPER METRO PLAZA COURT

Source: FIXED FACILITY - BUSINESS - CONSTRUCTION SITE

Cause: IMPROPER HANDLING

Reason: DELIBERATE ACTION

Waterways Affected: N/A

Media Affected 1: BUILDING INTERIOR

Media Affected 2:

Media Affected 3:

Product(s) Spilled

Product	Amount	UOM	RQ	Size	Type	EHS
DUST	.0	UNK	.0	U	A	N

Remark

DUST NOTED THROUGHOUT THE ENTIRE HOTEL DUE TO CONSTRUCTION.



Emergency Response Section - Initial Pollution Incident Report (IPIR)

3/9/2010

Spill Id Number: 0102-25-0549//0

District: CD

Reported By: STEVE BAILEY	Reported: 02/16/2001 13:21
Title: LEADER	Discovered: 02/16/2001 13:00
Telephone: (614) 206-3315 ext:	Occurred: 00/00/0000
Affiliation: ANY TWP TRUSTEE, MAYOR, GOVT OR C	Chronic: N

County: FRANKLIN	City/Township: DUBLIN
Did Spiller Report ? N	Complaint ? Y
Received By: TAYLOR, TODD	Priority: 4
Local EPC ? N	Did you tell the Spiller to Call the N.R.C ? N
Business: N	SARA Report: N

Suspected Spiller: ECOLAB
Mailing Address: N/A
Telephone: (000) 000-0000 ext:

Location: I-270SB TO 33 EB TO FRANTZ RD

Source: TRANSPORTATION - TRUCK - ENGINE OR FUEL SUPPLY

Cause: LEAK

Reason: CITIZEN COMPLAINT

Waterways Affected: N/A

Media Affected 1: LAND OR LAND SURFACE

Media Affected 2: SURFACE WATER/STORM SEWER: **Media Affected 3:**

Product(s) Spilled

Product	Amount	UOM	RQ	Size	Type	EHS
DIESEL FUEL	.0	UNK	.0	U	H	N

Remark

REPORT OF TRUCK LEAKING DIESEL FUEL ON ROADWAYS IN DUBLIN. DIESEL FUEL IS ENTERING STORM DRAINS. DUBLIN POLICE ARE TRYING TO GET IN CONTACT WITH THE COMPANY. PD IS ALSO TRYING TO TRACK DOWN AND STOP THE TRUCK. OSC DRAKE NOTIFIED.



Emergency Response Section - District Office Investigation Report (DOIR)

Spill Id Number: 0102-25-0549

OSC: 1785 - DRAKE, WES

Spill Status: CONTINUING

	Date	Time
Reported:	02/16/2001	13:21
Discovered:	02/16/2001	13:00
Occurred:	02/16/2001	

Reported By: STEVE BAILEY

Title: LEADER

Affiliation: ANY TWP TRUSTEE, MAYOR, GOVT OR

Telephone: (614) 206-3315

Extension:

Spill Location Information

County: FRANKLIN **Latitude:** 40-05-54.6 N
City/TWP: DUBLIN **Longitude:** 83-07-39.2 W
Location: 5100 UPPER METRO PLACE (LOADING DOCK) AND AREA ROADWAYS
Waterway: SCIOTO RIVER VIA INDIAN RUN VIA STORM SEWERS
Length: 1
Land Area: 3,000 SQ FT (TOTAL)

Entity Information

Name/Company: ECOLAB

Address: PO BOX 400 - 383 N HIGH ST

City: HEBRON

State: OH

Zip Code: 43025

Telephone: (740) 929-5815

Ext:

SPCC Plan Req:

SPCC Plan in Effect:

Entity Representatives

Name	Title	Phone	Extension
BRIAN BAKER	ECOLAB TRUCK DRIVER	(740) 929-5815	
CHUCK FLANNIGAN	ECOLAB COMPLIANCE ENG	(740) 929-5815	

Additional Entity

Name/Company: RYDER TRUCK RENTAL & LEASING, INC.

Address: 3600 NW 82ND ST

MIAMI, FL 33166

Telephone: (305) 500-3619

Ext:

Entity Representative

Name	Title	Phone	Extension
JOHN TISSUE	ENV CLAIMS CONSULTANT	(800) 432-2481	

Products Spilled

Product	Amount	UOM	Type
DIESEL FUEL	25.0	GAL	H

Source: TRANSPORTATION - TRUCK - ENGINE OR FUEL SUPPLY

Cause: LEAK

Reason: NEGLIGENCE

Media Affected: LAND OR LAND SURFACE IMPACT
SURFACE WATER/STORM SEWERS

Other Contacts



Emergency Response Section - District Office Investigation Report (DOIR)

Spill Id Number: 0102-25-0549

OSC: 1785 - DRAKE, WES

Status: CONTINUING

Activity Date: 02/16/2001

Phone Followup: NO

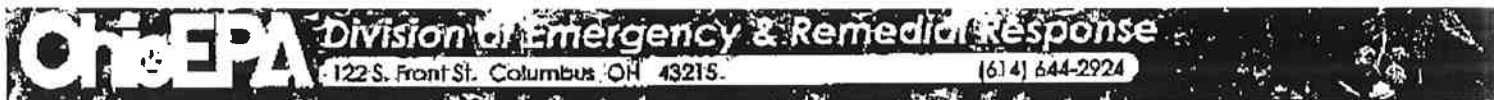
OSC Drake received notification of the subject diesel fuel spill at 13:30 hours. At that time, the OSC was informed that a truck had leaked an undetermined amount diesel fuel onto the roadways at several locations in Dublin, that spillage had entered a number of storm sewer catch basins, and that the truck-in-question had yet to be identified, located, or stopped. Subsequently, the OSC initiated a response to the scene, contacting both the Dublin Street Dept. and Franklin Co. Environmental Enforcement Officer Pat Smith, en route.

Proceeding into Dublin from north bound I-270, the OSC observed that sand had been applied to the roadways near the Rt. 161 / Frantz Rd. and Frantz Rd. / Upper Metro Place intersections. The odor of diesel fuel and iridescent petroleum sheen were present at - and extending from - the rain soaked pavement areas where the sand had been applied.

On the scene, at 14:15 hours, the OSC met with Dublin Street Dept. personnel in the parking lot near the loading dock at the northwest corner of the Embassy Suites Hotel (5100 Upper Metro Place). There, the OSC was shown patches of diesel fuel sheen on the wet parking lot and in the sunken loading dock. It was observed that rain water was flowing rapidly into - and out of - the loading dock's trench drain. The OSC was informed that the loading dock drain flowed to the municipal storm sewer, approx. 60 feet north of the hotel building, which flows east along the south side of Rt. 161 and discharges to Indian Run, at Shawan Falls Drive, via an underflow culvert. The OSC was further informed that, although Street Dept. crews had applied sand to diesel fuel on the roadways, diesel fuel had been washed into a number of area storm sewer catch basins by the ongoing rain.

The OSC was also informed that the leaking truck had been identified; that it was an Ecolab janitorial supply delivery truck - and that the driver of the truck was on a Street Dept. cellular phone at that very instant. Subsequently, the OSC was handed the phone and discussed the incident with Ecolab truck driver Brian Baker. In that conversation, the OSC was informed that: Ecolab leased the involved truck from Ryder Truck Leasing; the truck had been re-fueled just prior to the incident at the Ryder facility at 775 Schrock Road, in Columbus; after re-fueling, Mr. Baker drove east on Schrock Rd., south on Busch Blvd., east on Dublin-Granville Rd., north on I-71, then west on I-270 - to the Dublin / Rt. 33 / 161 exit - to make a delivery at the Embassy Suites hotel; along the way - and at the hotel - Mr. Baker smelled diesel fuel, but saw nothing leaking from his truck; Mr. Baker left the Embassy Suites and proceeded south on I-270 to the Roberts Rd. exit, where he made another delivery at the Holiday Inn on Westbelt Drive; from there, Mr. Baker proceeded south on I-270, then east on I-70, where he was contacted and informed that his truck might be leaking; he then stopped along I-70 in Columbus and found that diesel fuel was and had been leaking from the driver's side fuel filler cap, which had not been properly attached by the re-fueling technician at the Ryder facility.

An inspection of the storm sewer / retention pond system in the Metro Place office park revealed diesel fuel odors, but no recoverable amounts of fuel. An inspection of the swift flowing storm sewer along Rt. 161 and rain swollen receiving stream (Indian Run) revealed diesel fuel odors, but no visible or recoverable spillage - not even at the Scioto River confluence, where the otherwise cascading and churning tributary stream met the quiescent flow of the Griggs Reservoir (Scioto River). An inspection of the Holiday Inn property at Westbelt Drive revealed no traces of diesel fuel spillage, what-so-ever.

**Emergency Response Section - District Office Investigation Report (DOIR)****Spill Id Number:** 0102-25-0549**OSC:** 1785 - DRAKE, WES**Status:** FINAL**Activity Date:** 02/16/2001**Phone Followup:** NO

In independent telephone conversations with Ecolab Compliance Engineer Chuck Flannigan and Ryder's retained environmental claims consultant, John Tissue, both offered funding for cleanup services. However, both were informed of the OSC's findings: that the spillage and contaminated sand on the involved roadways had been obliterated by rain and rush hour traffic, and that stream character and rain-induced flow rate conditions had rendered the waterborne spillage technically, physically, and absolutely non-recoverable.

On the following week, through information provided by Mr. Flannigan, regarding fuel tank dimensions and vehicle milage, the OSC was able to calculate that approximately 25 gallons of diesel fuel had been spilled relative to the incident. And, as nothing had been done, could have been done, or could be done to remove the spillage from the environment, terminated field and investigative activities relative to the subject pollution incident.

facsimile transmittal



To: Inspector Bernie Cattrell

Fax: 614-766-2507

Company: Washington Township Fire Department

From: Kevin Fulk

Date: 3/8/2010

Re: Record Review

Pages: 1

CC:

Urgent

For Review

Please Comment

Please Reply

We request the Washington Township Fire Department to review its records for any information pertaining to hazardous emergency responses, ASTs, AST releases, USTs, UST releases, spills, or remediation at the following location:

- **Stoney River Restaurant, 5000 Uper Metro Place, Dublin, OH**

Thank you for your assistance with this information. If you have any questions or need for additional information from GCI, please telephone me at 614-895-1400.

Best regards,

Kevin J. Fulk, MBA, EP

FAXED
11:23am

This message is intended only for the use of the individual(s) or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of the message is not the intended recipient, or employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this message in error, please notify us immediately by the telephone number provided below, and return the sent message to us by the United States Postal Service in care of the below address. **If there are any problems with our facsimile transmission, please telephone us at the below listed telephone number.**



March 8, 2010

Mr. Paul Wenning *fax: 614-462-6672*
Franklin County District Board of Health – Environmental Health
280 East Broad Street
Columbus, Ohio 43215

**Reference: Request for Information
5000 Upper Metro Place
Dublin, Franklin County, OH**

Dear Mr. Wenning:

Geotechnical Consultants, Inc. (GCI) is performing environmental assessment services concerning a property in Dublin, Franklin County, OH. The property address is:

- **5000 Upper Metro Place, Dublin, Franklin County, OH**

This property was occupied by Stoney River restaurant. We request information from your department regarding whether there are or have been any landfills, permits, complaints, notifications, enforcement actions or other actions at the property.

A check for \$25.00 is being sent with this letter by mail. Please contact our office if you have any questions or need additional information and thank you for your assistance.

Respectfully submitted,
Geotechnical Consultants, Inc.

Kevin J. Fulk, MBA, EP
Senior Project Manager

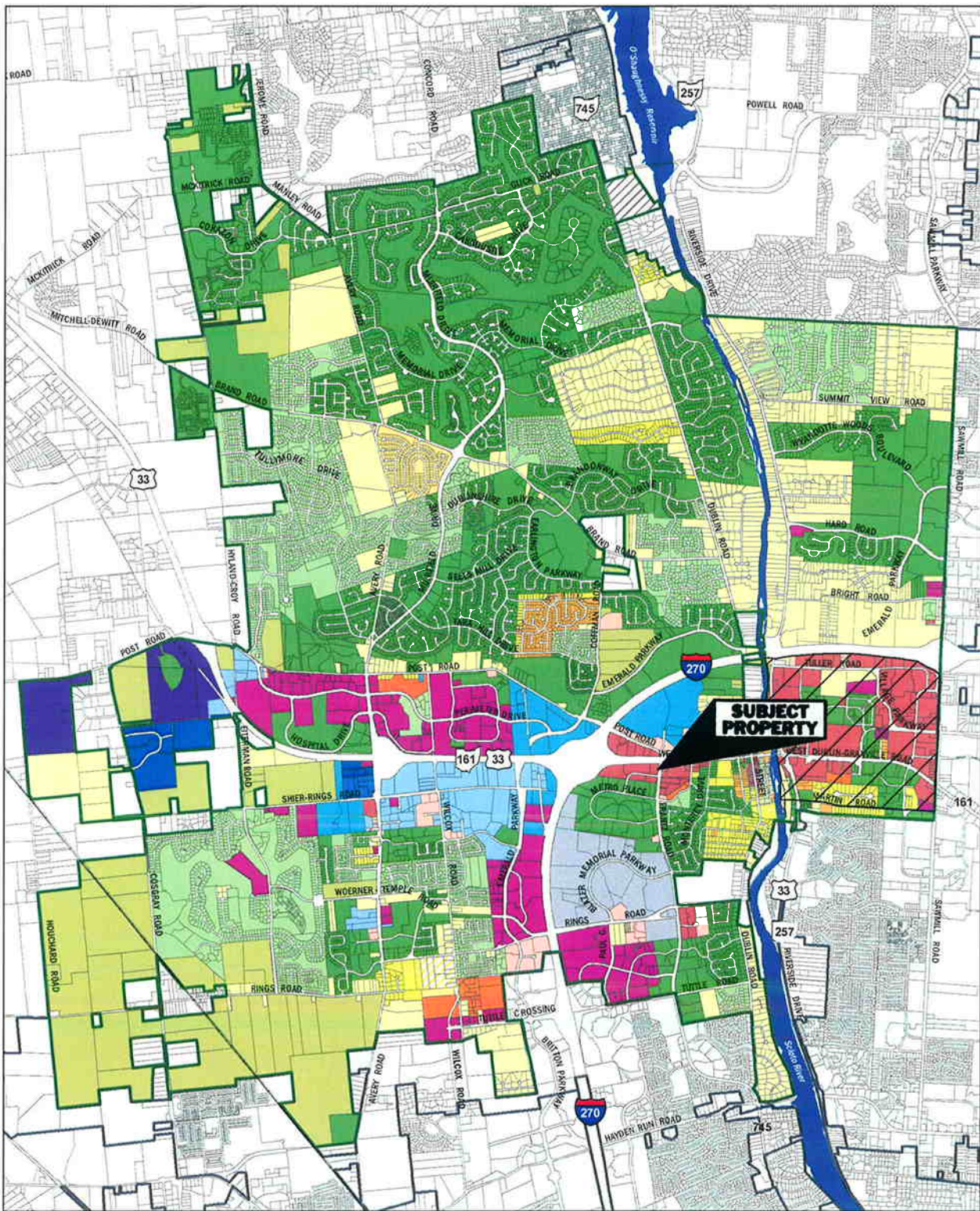
pc: file

Branch Offices

Charlotte
Dayton
Youngstown

2748-G Interstate St. • Charlotte, NC 28208
3570 Intercity Drive • Dayton, Ohio 45424
8433 South Avenue • Bldg. 1, Suite 1 • Boardman, Ohio 44514

(704) 393-6464 • Fax (704) 383-6465
(614) 895-1400 • Fax (937) 235-0321
(330) 965-1400 • Fax (330) 965-1410



Zoning District Map
City of Dublin, Ohio
December 8, 2009



This map includes City of Dublin zoning district classifications approved by Dublin City Council as of June 1, 2009 and effective on June 30, 2009. The map is intended for illustrative purposes only. Please contact Land Use & Long Range Planning to verify zoning for individual properties.

- | | | |
|-------------------------------------|---|-----------------------------------|
| R Rural | RI Restricted Industrial | CDD Corridor Development District |
| R-1 Restricted Suburban Residential | LI Limited Industrial | |
| R-2 Limited Suburban Residential | GI General Industrial | |
| R-3 Suburban Residential | PIP Planned Industrial Park | |
| R-4 Suburban Residential | HDP High Density POD (Central Ohio Innovation Center) | |
| R-12 Urban Residential | PCD Planned Commerce District | |
| HR Historic Residential | PLR Planned Low Density Residential | |
| HB Historic Business | PUD Planned Unit Development | |
| CB Central Business | R-1B Limited Suburban Residential (Township Classification) | |
| CC Community Commercial | NC Neighborhood Commercial (Township Classification) | |
| CCC Central Community Commercial | EU Exceptional Use (Township Classification) | |
| SO Suburban Office | Unincorporated (Township Jurisdiction) | |
| OLR Office, Laboratory, Research | Other Incorporated Jurisdiction | |
| Dublin Corporate Boundary | Other Corporate Boundary | |

APPENDIX D
SITE RECONNAISSANCE AND OTHER INFORMATION

205 E. Long St. and 106 N. 17th St. Properties

USER QUESTIONNAIRE

Geotechnical Consultants, Inc. (GCI) is proposing a Phase I Environmental Site Assessment (ESA) report for the property identified in the accompanying proposal. As part of the Phase I ESA we request the client provide GCI with a drawing showing the property location, boundaries, and buried utilities; owner, property manager or occupant information; and responses to the questions below. Please respond by one or more of the following:

Facsimile: (614) 895-1171; E-mail: gci@gci2000.com; U.S. mail: GCI, 720 Greencrest Dr., Westerville, OH 43081; or Telephone to the sender: (614) 895-1400

What is the reason for performing this Phase I ESA?

- Financing
- Refinancing
- Property transfer
- Personal use
- Other purchasing

Can you provide GCI with title record information pertaining to the property?

- No
- Yes (if yes, when can GCI receive the information?) Contact with Agent.

Do you or your company have knowledge of any environmental liens at the property?

- No
- Yes (if yes, please explain)

Do you or your company have knowledge of activity and/or land use limitations placed on the property such as engineering or institutional controls?

- No
- Yes (if yes, please explain)

Do you or your company have specialized knowledge of recognized environmental conditions¹ (such as releases of hazardous chemicals/materials or petroleum) regarding the property or property vicinity?

- No
- Yes (if yes, please explain)

Do you or your company have knowledge of the property that would indicate a value reduction in price due to environmental conditions?

- No
- Yes (if yes, please explain)

Are you or your company aware of commonly known or reasonably ascertainable information about the property that would help the environmental professional assess the property?

- No
- Yes (if yes, please explain)

Are you or your company, based on your knowledge and experience to the site, aware of any obvious indicators that point to the presence or likely presence of contamination at the property?

- No
- Yes (if yes, please explain)



 Signature

3/5/2010

 Date

Thank you!

¹ If you or your company have any questions about a recognized environmental conditions (RECs), GCI can provide you with a more detailed questionnaire. Additionally, if requested, GCI can take your responses by personal or telephone interview.





The NETR Environmental Lien Search Report

**FORMER STONEY RIVER
RESTAURANT
5000 UPPER METRO PLACE
DUBLIN, OHIO**

Friday, March 12, 2010

Project Number: L10-00580

2055 East Rio Salado Parkway
Tempe, Arizona 85281

Telephone: 480-967-6752
Fax: 480-966-9422

ENVIRONMENTAL LIEN REPORT

The NETR Environmental LienSearch Report provides results from a search of available current land title records for environmental cleanup liens and other activity and use limitations, such as engineering controls and institutional controls.

A network of professional, trained researchers, following established procedures, uses client supplied property information to:

- search for parcel information and/or legal description;
- search for ownership information;
- research official land title documents recorded at jurisdictional agencies such as recorders' office, registries of deed, county clerks' offices, etc.;
- access a copy of the deed;
- search for environmental encumbering instrument(s) associated with the deed;
- provide a copy of any environmental encumbrance(s) based upon a review of key words in the instrument(s) (title, parties involved and description); and
- provide a copy of the deed or cite documents reviewed;

Thank you for your business
Please contact NETR at 480-967-6752
with any questions or comments

Disclaimer - Copyright and Trademark Notice

This report was prepared for the use of Nationwide Environmental Title Research, and Geotechnical Consultants, Inc., exclusively. This report is neither a guarantee of title, a commitment to insure, nor a policy of title insurance. **NO WARRANTY, EXPRESSED OR IMPLIED, IS MADE WHATSOEVER IN CONNECTION WITH THIS REPORT.** Nationwide Environmental Title Research (NETR) specifically disclaims the making of any such warranties, including without limitation, merchantability or fitness for a particular use or purpose. The information contained in this report is retrieved as it is recorded from the various agencies that make it available. The total liability is limited to the fee paid for this report.

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ENVIRONMENTAL LIEN REPORT

The NETR Environmental Lien Search Report is intended to assist in the search for environmental liens filed in land title records.

TARGET PROPERTY INFORMATION

ADDRESS

Former Stoney River Restaurant
5000 Upper Metro Place
Dublin, Ohio

RESEARCH SOURCE

Source: Franklin County Auditor
Franklin County Recorder

DEED INFORMATION

Type of Instrument: Deed of Receiver

Title is vested in: Stoney River Management Company, Inc., a Delaware corporation

Title received from: Martin Management Services, Inc., an Ohio corporation, Receiver of Cooker Restaurant Corporation

Deed Dated: 02/14/2005
Deed Recorded: 03/04/2005
Instrument: 200503040040228

LEGAL DESCRIPTION

Lot 1, being 2.580 acres, more or less, in the subdivision of Upper Metro Place, according to the map or plat thereof, as filed of record in Plat Book 90, Page 94, Franklin County, State of Ohio

Assessor's Parcel Number(s): 273-009971-80 and 273-009971-90

ENVIRONMENTAL LIEN

Environmental Lien: Found Not Found

OTHER ACTIVITY AND USE LIMITATIONS (AULs)

Other AULs: Found Not Found

THE Midland Celtic TITLE GROUP



200503040040228

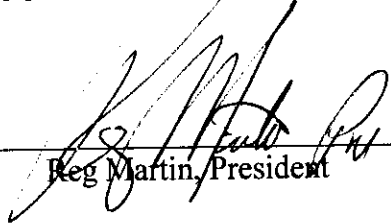
Pgs: 4 \$44.00 T20050016837
03/04/2005 2:41PM BXMIDLAND/CEL
Robert G. Montgomery
Franklin County Recorder

DEED OF RECEIVER

MARTIN MANAGEMENT SERVICES, INC., an Ohio corporation having an address at P.O. Box 273, Westerville, Ohio 43086, Receiver of Cooker Restaurant Corporation (the "Grantor"), by the power conferred by that certain Order Appointing Receiver, filed July 21, 2004 in In the Matter of Cooker Restaurant Corporation, Case No. 04CVH-07-7486, in the Court of Common Pleas for Franklin County, Ohio, and every other power, for and in consideration of Ten Dollars (\$10.00) paid, grants, with fiduciary covenants, to Stoney River Management Company, Inc., a Delaware corporation, whose tax mailing address is 3010 Royal Blvd., Suite 150, Alpharetta, GA 30022, that certain land and premises (the "Property") situated in the City of Dublin, County of Franklin and State of Ohio, and described on Exhibit A attached hereto, together with all and singular the buildings and improvements thereupon erected, and all and every the ways, easements, rights, privileges and appurtenances to the same belonging or in any way appertaining, subject, however, to those Permitted Encumbrances set forth on Exhibit B attached hereto.

IN WITNESS WHEREOF, the Grantor has caused this Deed to be executed on its behalf as of the day and year first above written.

MARTIN MANAGEMENT SERVICES, INC.,
RECEIVER OF COOKER RESTAURANT CORPORATION

By 
Reg Martin, President

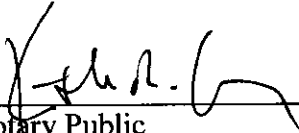
TRANSFERRED
MAR 04 2005
JOSEPH W. TESTA
AUDITOR
FRANKLIN COUNTY, OHIO

4663
CONVEYANCE TAX
\$2425
JOSEPH W. TESTA
FRANKLIN COUNTY AUDITOR

STATE OF OHIO,
COUNTY OF FRANKLIN, SS:

On this the 14th day of February, 2005, before me, the undersigned officer, personally appeared Reg Martin, known to me (or satisfactorily proven by presentation of evidence satisfactory to me) to be such person, who acknowledged himself to be President of Martin Management Services, Inc., an Ohio corporation, and that he, as such officer, being authorized to do so, acknowledged to me that he executed the foregoing instrument for the purposes therein contained, as such officer.

In witness whereof, I have hereunto set my hand and official seal.



Notary Public



KENNETH R. GOLDBERG
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03 R.C.

This instrument prepared by:

Kenneth R. Goldberg, Esq.
Strip, Hoppers, Leithart, McGrath & Terlecky Co.
575 South Third Street
Columbus, Ohio 43215

Exhibit "A "

Situated in the City of Dublin, County of Franklin, State of Ohio, in Virginia Military Survey No. 2542 and being 2.580 acres out of a 23.7095 acre tract of land (23.704 acres by recent survey) conveyed to John W. McKittrick (25%), Geneva McKittrick Rhodes (25%), Pauline McKittrick (25%) and John W. and Ann M. McKittrick, Trustees of Jack A. McKittrick Spendthrift Trust (25%) recorded in ORV 6853, Page 102 of Franklin County Records, and bounded and described as follows:

Beginning at a point in the centerline of Frantz Road (variable width) and at the Northeast corner of said 23.704 acre tract, said point being South 5 deg. 07' 30" West a distance of 145.79 feet from a monument box assembly found at the intersection of the centerline of Frantz Road with the centerline of U.S. Route 33 / S.R. 161, said intersection being at centerline station 207+47.80 (U.S. Route 33) and 4+62.80 (Frantz Road) as shown on Sheet 14 of 24 of the 1965 Ohio Department of Transportation Right of Way Plans Fra-270-7.47N; thence South 89 deg. 09' 14" West along a portion of a North line of said 23.704 acre tract a distance of 54.70 feet to a 3/4" I.D. iron pipe set at the intersection of the South Limited Access right of way line of U.S. Route 33 / S.R. 161 with the proposed West right of way line of Frantz Road and at the true place of beginning of the tract herein intended to be described (passing a point in the existing West right of way line of Frantz Road at 50.27 feet); thence South 7 deg. 12' 27" West crossing a portion of said 23.704 acre tract and along the proposed West right of way line of Frantz Road a distance of 214.35 feet to a 3/4" I.D. iron pipe set; thence South 20 deg. 34' 26" West crossing a portion of said 23.704 acre tract and along the proposed West right of way line of Frantz Road a distance of 51.83 feet to a 3/4" I.D. iron pipe set; thence South 5 deg. 07' 30" West crossing a portion of said 23.704 acre tract and along the proposed West right of way line of Frantz Road a distance of 116.21 feet to a 3/4" I.D. iron pipe set at the Northeasterly end of a line connecting the proposed West right of way line of Frantz Road with the North line of proposed Upper Metro Place (proposed to be 60 feet in width); thence South 51 deg. 25' 44" West crossing a portion of said 23.704 acre tract and along connecting line a distance of 34.54 feet to a 3/4" I.D. iron pipe set; thence North 82 deg. 16' 03" West crossing a portion of said 23.704 acre tract and along the North line of said proposed Upper Metro Place a distance of 259.72 feet to a 3/4" I.D. iron pipe set, said iron pipe also being the Southeast corner of a proposed 6.500 acre tract of land being conveyed out of said 23.704 acre tract; thence North 5 deg. 07' 30" East crossing a portion of said 23.704 acre tract and parallel with the centerline of Frantz Road and along the East line of said proposed 6.500 acre tract a distance of 360.42 feet to a 3/4" I.D. iron pipe set in the South Limited Access right of way of U.S. Route 33 / S.R. 161, in a North line of said 23.704 acre tract and at the Northeast corner of said proposed 6.500 acre tract; thence North 89 deg. 09' 14" East along the South Limited Access right of way line of U.S. Route 33 / S.R. 161 and along a portion of a North line of said 23.704 acre tract a distance of 307.69 feet to the true place of beginning; containing 2.580 acres of land. The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of C.F. Bird and R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from an actual field survey performed under his supervision in December, 1997. Basis of bearings is the North lines of Reserve 'A' and Lot Nos. 1, 2 and 3, being North 83 deg. 15' 23" West, as shown upon the plat of Metrocenter, recorded in Plat book 55, Pages 8 and 9 of Franklin County Records.

AND ALSO DESCRIBED AS:

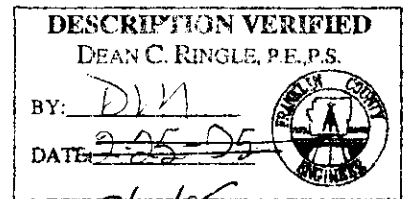
Being Lot 1 of Upper Metro Place, final plat, as the same is numbered and delineated upon the recorded plat in Plat Book 90, Page 94 of Franklin County Records.

PPN 273-009971-80

&

273-009971-90

(273)
9971
N-090-BB ALLDF



3/4/05
CR

Exhibit "B"

Permitted Encumbrances

1. Taxes and Assessments for the first half of 2005 and thereafter, are a lien not yet due and payable.
2. Building Setback Line(s) and Easement(s) as shown upon the recorded subdivision plat, Plat Book 90, Page 94 of Franklin County Records.
3. Restrictions, recorded as Franklin County File No. 199810150263850 and as File No. 199806080139908.
4. The operation and effect of all applicable codes, laws, regulations, statues and other restrictions of governmental or quasi-governmental authorities;
5. Easement to Columbus Southern Power Company, recorded as Franklin County Recorder's File No. 199812100318182.
6. Matters shown on Survey by E.P. Ferris and Associates, Inc., Job No. 708243, dated January 19, 2005, as follows:
 - a) encroachment of garbage dumpster wall and concrete pad over easement shown as Document No. 199812100318182;
 - b) encroachment of bike path and concrete walk onto subject property along East line of property;
 - c) encroachment of stone wall across property line in Northwest corner of subject property;
 - d) lack of direct vehicular access from subject premises to U.S. Route 30 / S.R. 161 to North and Frantz Road to the East;
 - e) encroachment of stone wall over easement contained in Plat Book 90, Page 94, in Northeast corner of subject premises.



Photo 1: March 10, 2010 Viewing at the south and east sides of the restaurant building on the property.



Photo 2: March 10, 2010 Viewing at the north and west sides of the restaurant building on the property.

GCI Project #10-E-15629



Photo 3: March 10, 2010 Viewing southwest at the eastern side of the restaurant building.



Photo 4: March 10, 2010 Mulch area containing the apparent grease trap cover. A pad-mounted electrical transformer is shown to the right.

GCI Project #10-E-15629



Photo 5: March 10, 2010 Viewing north across the eastern side of the property.



Photo 6: March 10, 2010 Viewing north across the western side of the property.



Photo 7: March 10, 2010 Viewing west across the south side of the property. The west adjoining Embassy Suites Hotel is shown beyond the property.



Photo 8: March 10, 2010 Viewing east along the southern property boundary and Upper Metro Place.

GCI Project #10-E-15629



Photo 9: March 10, 2010 Viewing east across the north side of the property.



Photo 10: March 10, 2010 Viewing east at the easement area between the northern property boundary and State Route 161.

GCI Project #10-E-15629

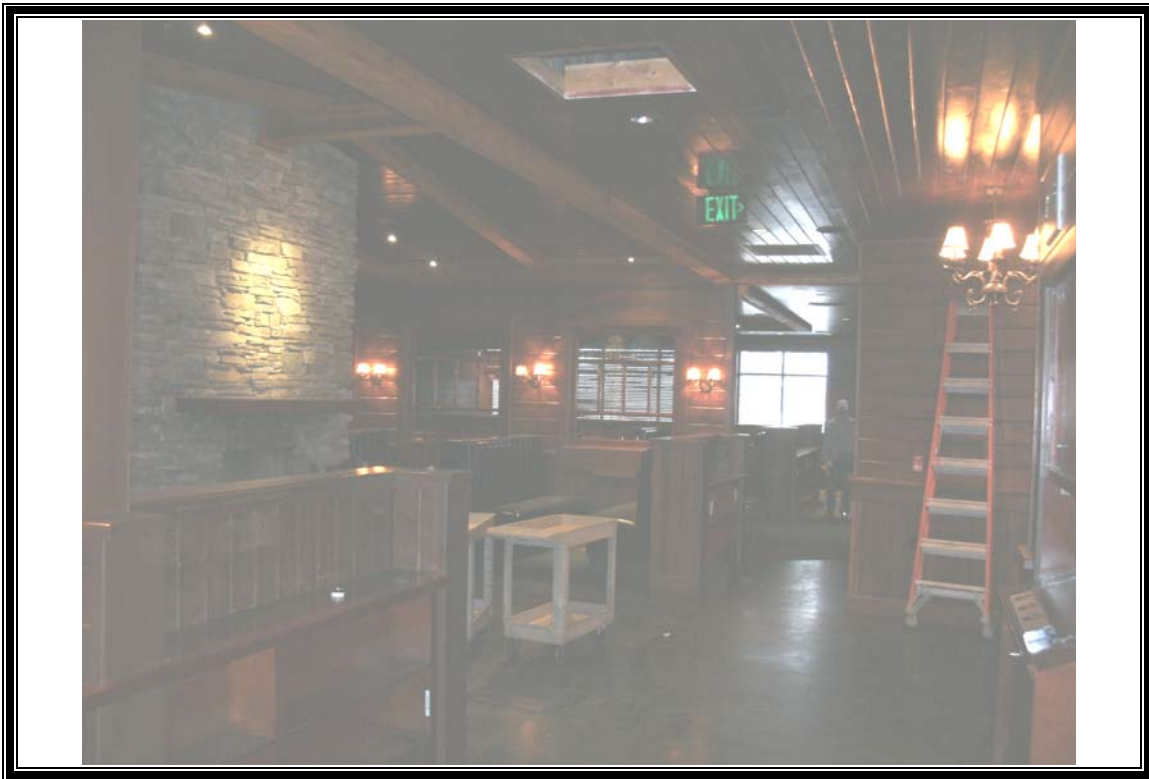


Photo 11: March 10, 2010 Restaurant interior near the main entrance.



Photo 12: March 10, 2010 Bar area in the western part of the restaurant interior.



Photo 13: March 10, 2010 Food preparation area in the kitchen of the restaurant.

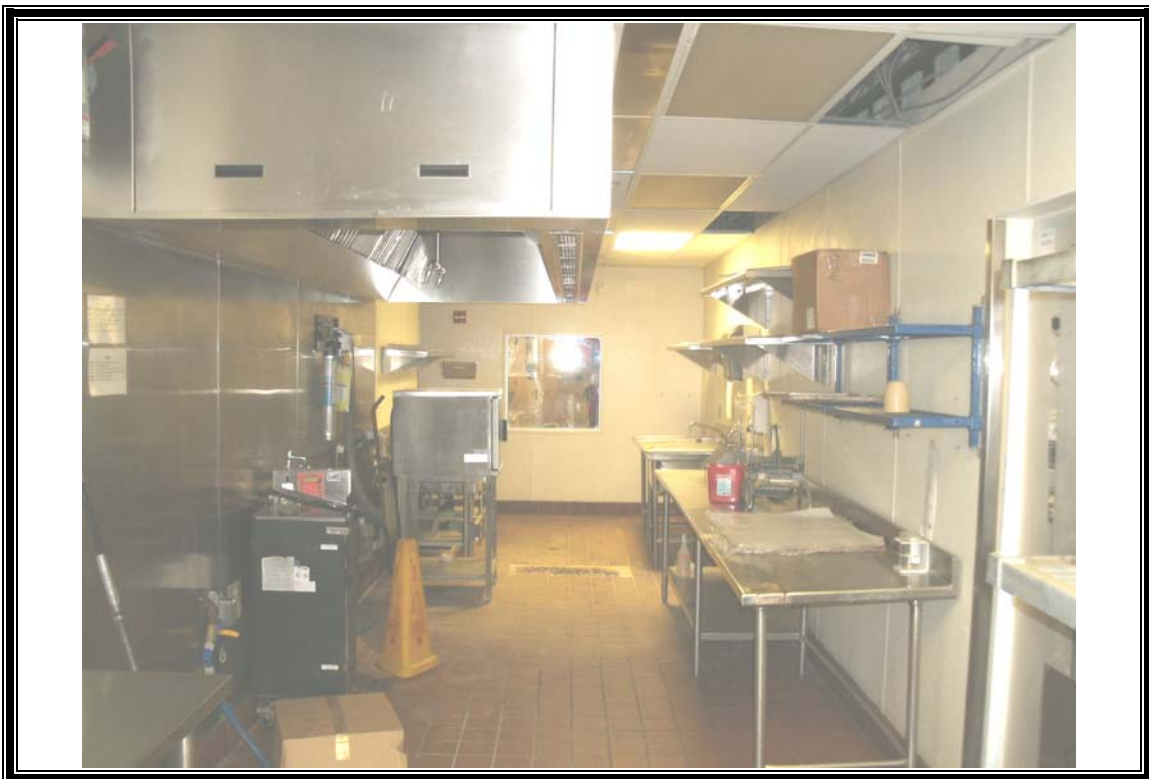


Photo 14: March 10, 2010 Food preparation area in the kitchen of the restaurant.