



# CITY OF EL MIRAGE

## DEVELOPMENT APPLICATION FORM

Case No: P221-01-02 Date Received: 3.31.21 **Official Use** Planning & Zoning Commission Meeting: 4/13 City Council Meeting: 5/18

### PURPOSE

Development Applications are reviewed by the Technical Advisory Committee (TAC) with the intent to provide the applicant specific information in preparation to meeting the City's technical standards and requirements for the proposed development project. Information provided by TAC is based on applicant submittals and should be considered actual and detailed in nature.

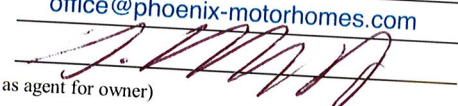
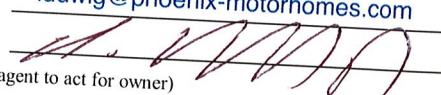
### ACTION REQUESTED (Check one)

- Conditional Use Permit
- General Plan Amendment:  Major  Minor
- Planned Area Development (PAD)
- Planned Area Development Amendment
- Rezoning
- Site Plan Approval
- Site Plan Amendment
- Preliminary Plat
- Final Plat
- Other: \_\_\_\_\_

### PROPERTY INFORMATION:

Name of Project: Phoenix Motorhomes Acreage: 2.0  
 Property Address/Location: 12301 W Butler Drive, El Mirage, AZ 85335  
 Assessor's Parcel Number: 501-46-836A

### APPLICANT / OWNER INFORMATION:

Applicant:	<u>Phoenix Motorhomes LLC</u>	Owner:	<u>Ludwig Langenbach</u>
Address:	<u>17033 W Marshall Lane</u>	Address:	<u>17033 W Marshall Lane</u>
City/ST/Zip:	<u>Surprise, AZ 85388</u>	City/ST/Zip:	<u>Surprise, AZ 85388</u>
Phone:	<u>(877) 749-6646</u>	Phone:	<u>(877) 749-6646</u>
Email:	<u>office@phoenix-motorhomes.com</u>	Email:	<u>ludwig@phoenix-motorhomes.com</u>
Signature:		Signature:	
<small>(Agreement to act as agent for owner)</small>		<small>(Authorization for agent to act for owner)</small>	

- Application Form
- Comprehensive Site Plan
- Deed and/or Title Report
- Drainage Report
- A.L.T.A. Survey
- Phase I Environment Site Assessment
- Preliminary Landscape Plans
- Filing Fee (see Fee Schedule starting on page 9)

### 1. Project Introduction

On behalf of Phoenix Motor Homes, (Owner / Developer), Gilmore Planning & Landscape Architecture respectfully submits for consideration this application for Site Plan Approval and Conditional Use for the exterior storage of RV's. The Property is located at 12301 W. Butler Dr, at the southwest corner of N. El Mirage Road and W. Butler Drive, and includes 2.0 net acres (Parcel 501-46-836A). The intended use is for RV Sales & Rentals, general maintenance and repair, and RV storage. There will be no wash bays, fuel dispensing, or storage of hazardous substances. Phoenix Motor Homes (PMH) understands that the City of El Mirage must approve a site plan, civil engineering plans, and building permit applications prior to any on-site improvements being installed.

### 2. Existing Land Use

Although the off-site improvements have been completed, the Property is currently vacant. PMH has obtained a Temporary Use Permit to store RV's on-site behind temporary construction fencing. The improved lot is referenced as Lot 1 on the Final Plat for the M.M. Clayton Industrial Park. The surface area is relatively flat with natural grade falling to the south. There is an existing retention basin near the northeast corner that accepts storm water runoff from El Mirage Road and Butler Drive. As part of a platted subdivision, the off-sites have already been installed.

### 3. Existing Zoning

The current zoning is Commerce Park (CP). This site is also located within Luke AFB's 65LDN noise contour.

### 4. Existing and Surrounding Land Uses

Although the Property is currently vacant, it is situated along El Mirage Road in an established area with existing commercial, office, and light industrial developments surrounding the project site:

- West of the Property and backing up to this Subject Property is Clayton Homes, a mobile home manufacturer. Clayton Homes is not active at this time, but post Covid, the production could begin again. This property is zoned Employment / Industrial (EI).
- North of the Property is vacant property zoned Employment / Industrial (EI).
- East Directly east of the Property is an approximate ½ section owned by Union Rock Material Corp. zoned Natural Reserve (NR). This property is being mined for granular material.
- South of the Property are Lots 2-6 of the M.M. Clayton Industrial Park, all zoned Commerce Park.

Refer to the enclosed Context Plan and site photos for additional information regarding existing and surrounding land uses.

## **5. Development Plan**

The initial goal will be to develop the property in one phase. The office will be a modular structure that will be approximately 1200sf. The Service Building will be a prefabricated steel building of approximately 4400sf (110' x 40'). It will include two service bays, a small office, and parts storage. The balance of the site improvements will include the following:

- a. A separate application will be processed to abandon the 25' wide cross-access easement along the west side between Butler Drive and Lot 6, along with the shared access drive off El Mirage Road at the southeast corner of Lot 1.
- b. Perimeter fencing. Along El Mirage Rd and Butler Drive will be a 6' Wrought Iron fence. Along the south property line will be a new 6' CMU wall, and along the west property line is an existing chain-link with barbed wire installed by Clayton Homes.
- c. Along the street frontages, a new landscape will be installed per City standards. On-site landscaping will be limited to the publicly accessible parking areas, foundation landscaping for shade, and within the retention areas.
- d. The driveway offset from the west property line is 80 feet, and an additional 38 feet to Clayton Home's east driveway.
- e. The driveway and approach area in front of the service building will be paved with concrete, and the guest parking will be paved with asphalt. The balance of the site used for the display and storage of RV's will be dustproofed with milled asphalt and decomposed granite.
- f. ADA parking has been revised for Van Accessibility. A 6" vertical curb will be placed to control the guest parking.
- g. Site Civil Plans will include the two fire hydrants, street lights (minimum of 2) and replacement of sidewalks along both Butler Dr (5' attached) and El Mirage Rd (8' detached).
- h. Primary access will be directed to a new driveway off Butler Drive. Secondary emergency access will be established off El Mirage Road, to be used only when actual emergency events occur. The perimeter wrought iron fence will incorporate gates to allow for the display of RV's oriented to the intersection of El Mirage Rd and Butler Dr.

## **6. Drainage Statement**

Retention areas will be established on-site for the 100yr 2-hour storm event. The existing basin at the corner of El Mirage and Butler Dr. may be reduced in size and the storage provided elsewhere on site. Grading and Drainage plans with site calculations will be prepared for the next submittal. A Preliminary Drainage Statement has been prepared and submitted with this application.

**7. Utilities**

Water: There is water service available to the property. There are two buildings that will include water fixtures. The modular office will include a small kitchenette with one sink and dishwasher fixture and one restroom with 3 fixtures (1 sink and 2 toilets). The garage will include a wash sink and one restroom with a sink and 1 toilet. There will also be at least one hose bibb for each building. The project landscape will require a drip irrigation system. A preliminary Water Report with calculations will be submitted with the improvement plans.

Sewer: There is no public service, so a septic system will be installed. The area south of the garage is the anticipated location. Separate plans will be submitted for review and approval.

**7.1 Development Standards – Dimensional Criteria**

<b>Development Standards</b>	<b>Commerce Park</b>	<b>Concept Plan</b>
Building Height	30'	20'
Setbacks		
Principal Building	Min.	
El Mirage Road	10'	100'
Butler Drive	20'	20''
West Side - Side Yard	5'	120'
South Side - Rear Yard	5'	270'
Accessory Building		
Butler Drive	10'	45'
West Side - Side Yard	5'	40'
South Side - Rear Yard	5'	140'
Lot Coverage (5,700sf / 87,725sf)	90%	6.5%
Parking - Required - Employees	5	5
Parking - Provided - Employees & Guests		11

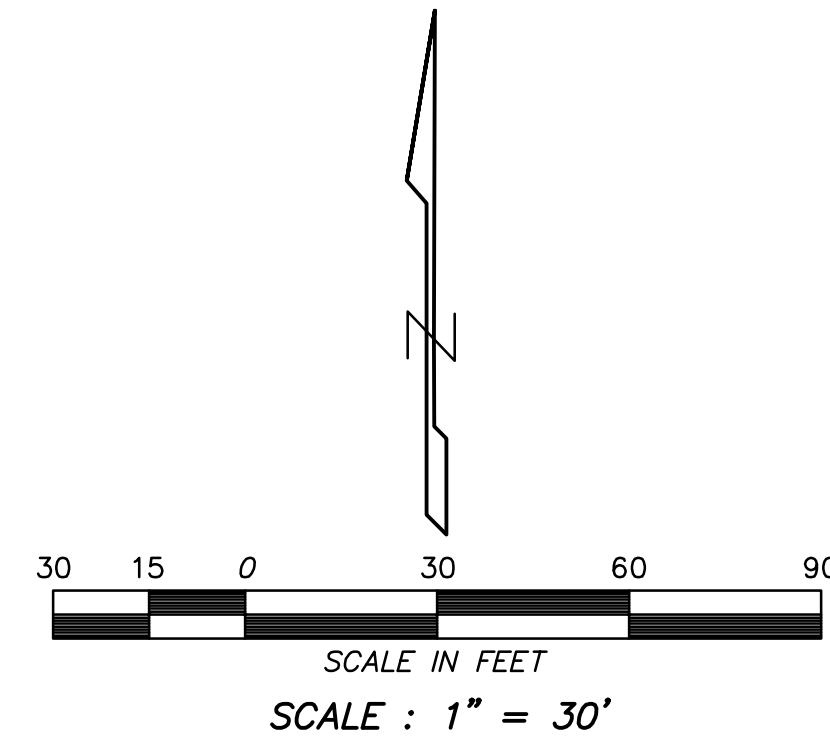
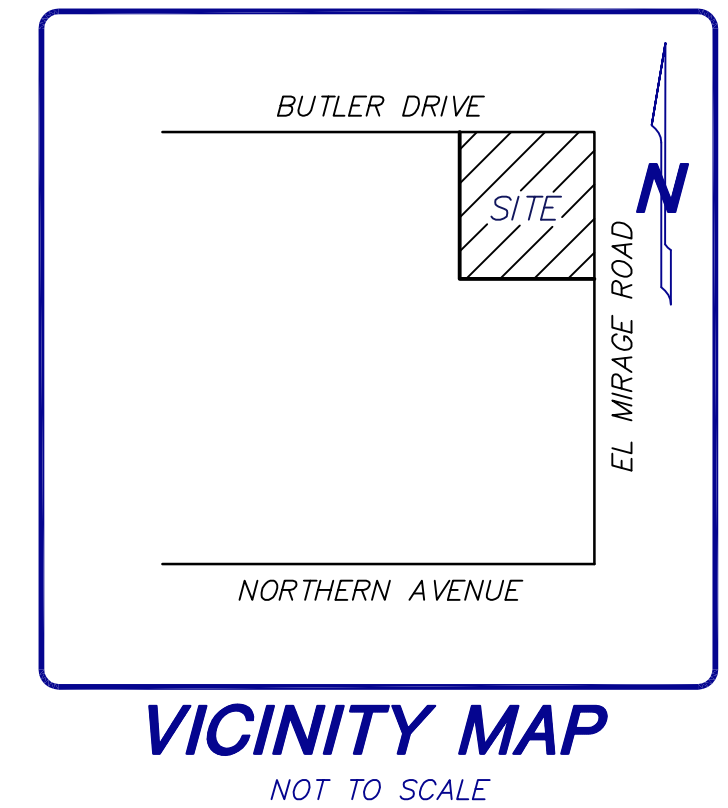
**7.2 Project Landscape**

The selection of plant material to be prescribed for the streetscape and the on-site landscape will be selected from the Arizona Department of Water Resources Low Water Use / Drought Tolerant Plant List for the Phoenix Active Management Area. A drip irrigation system will be installed to maintain the project landscape.



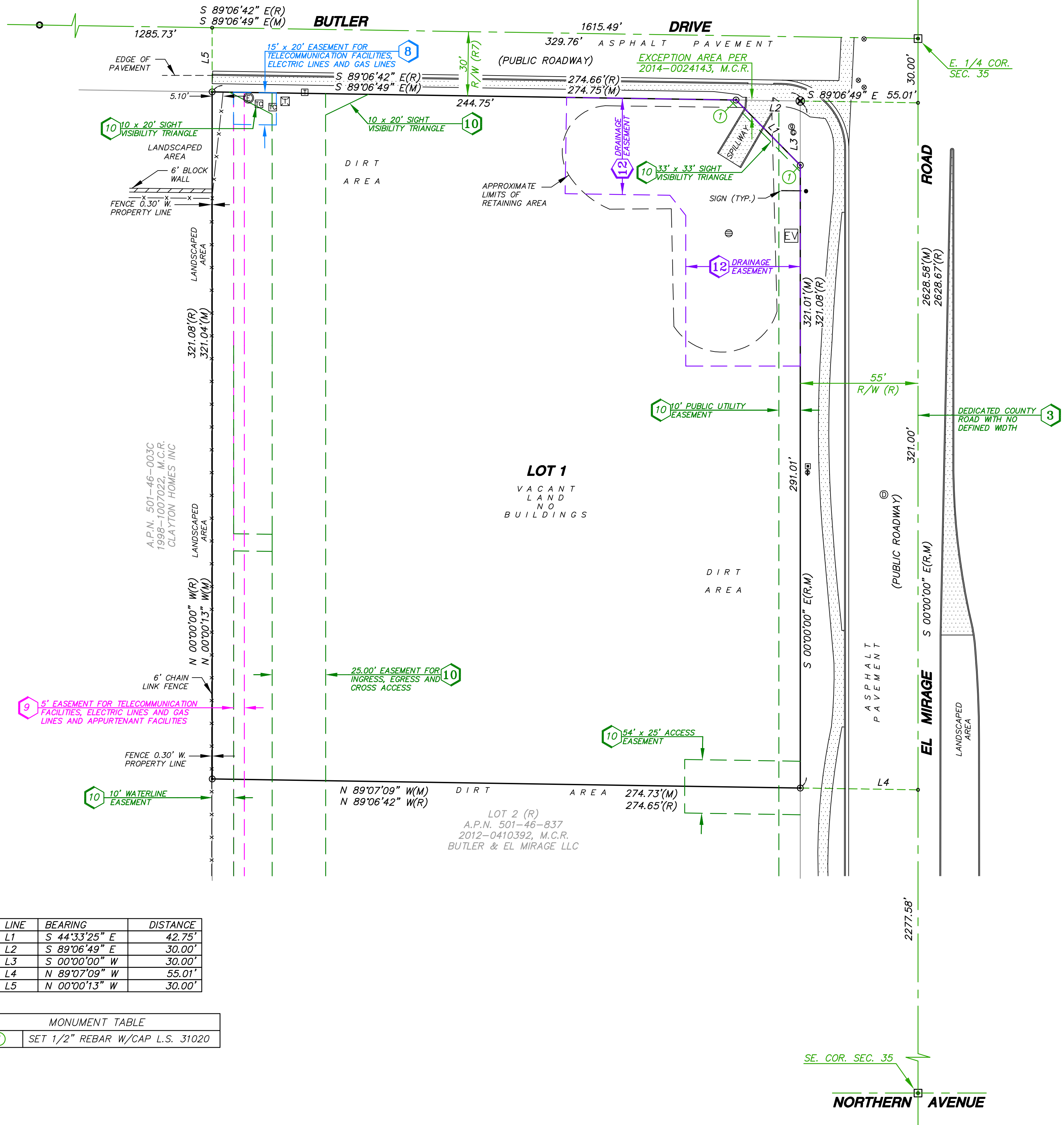
# AL.T.A. / N.S.P.S. LAND TITLE SURVEY

## A PORTION OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



### LEGEND

	Fnd 1/2" Rebar W/ Cap L.S. 28232 Per Bk. 1025, Pg. 17, M.C.R. (unless otherwise noted)		Indicates Driveway (means of access)
	Property Line		Concrete Surface
	Fnd Brass Cap in Handhole		Fence
	Fnd Brass Cap Flush L.S. 36171		Wall
	Fnd Chiseled "+" In Concrete As Shown on Bk. 1065, Pg. 38, M.C.R. Set Pk Nail & Washer L.S. 31020 (See Monument Table)		Back Flow Preventer
	See Reference Documents Measured		Drywell Or Catch Basin
	Schedule "B" Item		Electric Meter
	24 inch Vertical Curb & Gutter		Electric Vault
	6 inch Concrete Curb		Electric Transformer
			Gas Marker
			Gas Valve
			Guard Post or Gate Post
			Storm Drain Manhole
			Telephone Cabinet
			Telephone Signal Box
			Water Meter
			Water Valve



LINE	BEARING	DISTANCE
L1	S 44°33'25" E	42.75'
L2	S 89°06'49" E	30.00'
L3	S 00°00'00" W	30.00'
L4	N 89°07'09" W	55.01'
L5	N 00°00'13" W	30.00'

MONUMENT TABLE	
①	SET 1/2" REBAR W/CAP L.S. 31020

### SURVEY NOTES

- This survey and the description used are based on a Commitment for Title Insurance issued by Commonwealth Land Title Insurance Company NCS, issuing agent for Commonwealth Land Title Insurance Company, Order Number 20001239-040-BN1, dated July 1, 2020.
- BASIS OF BEARING: The monument line of El Mirage Road, using a bearing of South 00 degrees 00 minutes 00 seconds East, per the Plat of M.M. CLAYTON INDUSTRIAL PARK, recorded in Book 1025, Page 17, M.C.R.
- The bearings and distances depicted indicate actual field or computed measurements performed during the course of this survey. This information may vary from documents of record used for this survey.
- The utility information shown is limited to visible above ground evidence. This survey makes no attempt to depict any underground utilities and there is no guarantee or warranty to the exact location or presence of any underground utilities that may actually exist adjacent to or within the boundaries of the subject property. Prior to any excavation please call an underground utility locator or "BLUE STAKE" at (602)659-7500 for the precise location and extent of all utilities in the area.
- This Survey has been prepared exclusively for the parties stated in the certification for use in conjunction with the escrow referenced in Survey Note No. 1. Reproduction or use of this survey by any other party for any other transaction or purpose is unauthorized without written authorization from Alliance Land Surveying, LLC. The use of the word "certify" or "certification" by a person or firm that is registered or certified by the board is an expression of professional opinion regarding facts or findings that are the subject of the certification and does not constitute an express or implied warranty or guarantee (A.R.S. 32-151).

### SCHEDULE "B" ITEMS

- Roadway as shown on map:  
Recording No.: Book 5 of Road Maps, Page 36  
(PLOTTABLE MATTERS SHOWN HEREON)
- Terms and conditions including covenants, conditions and restrictions, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document Recording No: 99-0693008 (AFFECTS SUBJECT PROPERTY - NOT PLOTTABLE)
- The effect of the document set forth below, which states that the Land is located within territory in the vicinity of a military airport and may be subject to increased noise and accident potential.  
Recording Date: August 14, 2001  
Recording No: 2001-0743413  
(AFFECTS SUBJECT PROPERTY - NOT PLOTTABLE)
- Matters shown on lot split:  
Recording No.: Book 676 of Maps, Page 23;  
Thereafter, correction to lot split  
Recording No: 20050997102  
(DOCUMENT IS A LOT SPLIT SURVEY THAT DOES NOT CONTAIN DEDICATION LANGUAGE AND THE LOT SPLIT SURVEY DOES NOT CREATE ANY PLOTTABLE EASEMENTS OVER THE SUBJECT PROPERTY)
- Matters contained in that certain document  
Entitled: Common Operation and Reciprocal Easement Agreement for M.M. Clayton Industrial Park  
Recording Date: July 19, 2005  
Recording No: 20051003054  
(AFFECTS SUBJECT PROPERTY - NOT PLOTTABLE)
- Matters contained in that certain document  
Entitled: Easement Agreement  
Recording Date: October 20, 2005  
Recording No: 2005-1575570  
(PLOTTABLE MATTERS SHOWN HEREON)
- Matters contained in that certain document  
Entitled: Easement Agreement  
Recording Date: September 13, 2007  
Recording No: 2007-1018943  
(PLOTTABLE MATTERS SHOWN HEREON)
- Easements, covenants, conditions and restrictions as set forth on the plat recorded in Book 1025 of Maps, Page 17.  
(PLOTTABLE MATTERS SHOWN HEREON)
- Matters shown on record of survey:  
Recording No.: Book 1065 of Maps, Page 38  
(DOCUMENT IS A RECORD OF SURVEY AND DOES NOT CREATE ANY PLOTTABLE EASEMENTS OVER THE SUBJECT PROPERTY)
- Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:  
Purpose: drainage  
Recording Date: January 14, 2014  
Recording No: 20140024144  
(PLOTTABLE MATTERS SHOWN HEREON)

### PARCEL DESCRIPTION

Lot 1, of MM CLAYTON INDUSTRIAL PARK, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 1025 of Maps, Page 17;

EXCEPT that portion as conveyed to Maricopa County, a political subdivision of the State of Arizona, in deed recorded January 14, 2014 in Recording No. 20140024143, more particularly described as follows:  
A portion of "Parcel 2" of that certain property described in Document 2012-0410392, Recorder's Office, Maricopa County, Arizona, lying within the Southeast quarter of Section 35, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian; being more particularly described as follows: Commencing at the East quarter corner of said Section 35, from which the Southeast corner bears, South 0 degrees 03 minutes 52 seconds East, a distance of 2628.76 feet, (South 0 degrees 00 minutes 00 seconds East, 2628.67 feet, Record);  
Thence along the East line of said Southeast quarter, South 0 degrees 03 minutes 52 seconds East, a distance of 30.00 feet;  
Thence North 89 degrees 10 minutes 31 seconds West along the South line of the North 30.00 feet of the Southeast quarter, a distance of 55.01 feet to the Point of Beginning;  
Thence continuing along the South line, North 89 degrees 10 minutes 31 seconds West, a distance of 30.00 feet;  
Thence South 44 degrees 37 minutes 12 seconds East, a distance of 42.75 feet to a point on the West line of the East 55.00 feet of said Southeast quarter;  
Thence along said West line, North 0 degrees 03 minutes 52 seconds West, a distance 30.00 feet to the Point of Beginning.

### SITE INFORMATION

ADDRESS: Unavailable - No buildings were observed on the surveyed property.

A.P.N.: 501-46-836A  
OWNER: BUTLER & EL MIRAGE LLC  
DEED: 2012-0410392, M.C.R.

LAND AREA: 2.014 ACRES - 87,739 SQ. FT.

STRIPED PARKING SPACE TABULATION:  
There are no striped parking spaces on the subject property.

### REFERENCE DOCUMENTS

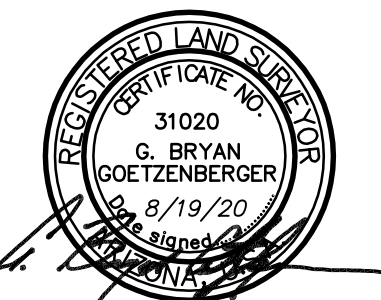
- (R) PLAT PER BOOK 1025, PAGE 17, M.C.R.
- (R2) R.O.S. PER BOOK 676, PAGE 23, M.C.R.
- (R3) R.O.S. PER BOOK 717, PAGE 46, M.C.R.
- (R4) R.O.S. PER BOOK 955, PAGE 22, M.C.R.
- (R5) R.O.S. PER BOOK 1065, PAGE 38, M.C.R.
- (R6) RECORDING NUMBER 2014-0024143, M.C.R.
- (R7) RECORDING NUMBER 1999-0376992, M.C.R.

### CERTIFICATION

TO:  
Butler & El Mirage, LLC, an Arizona limited liability company; Commonwealth Land Title Insurance Company NCS; and Commonwealth Land Title Insurance Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 4, 8, 9, 13, and 14 of Table A thereof. The fieldwork was completed on August 8, 2020.

August 19, 2020  
G. Bryan Goetzenberger  
R.L.S. 31020



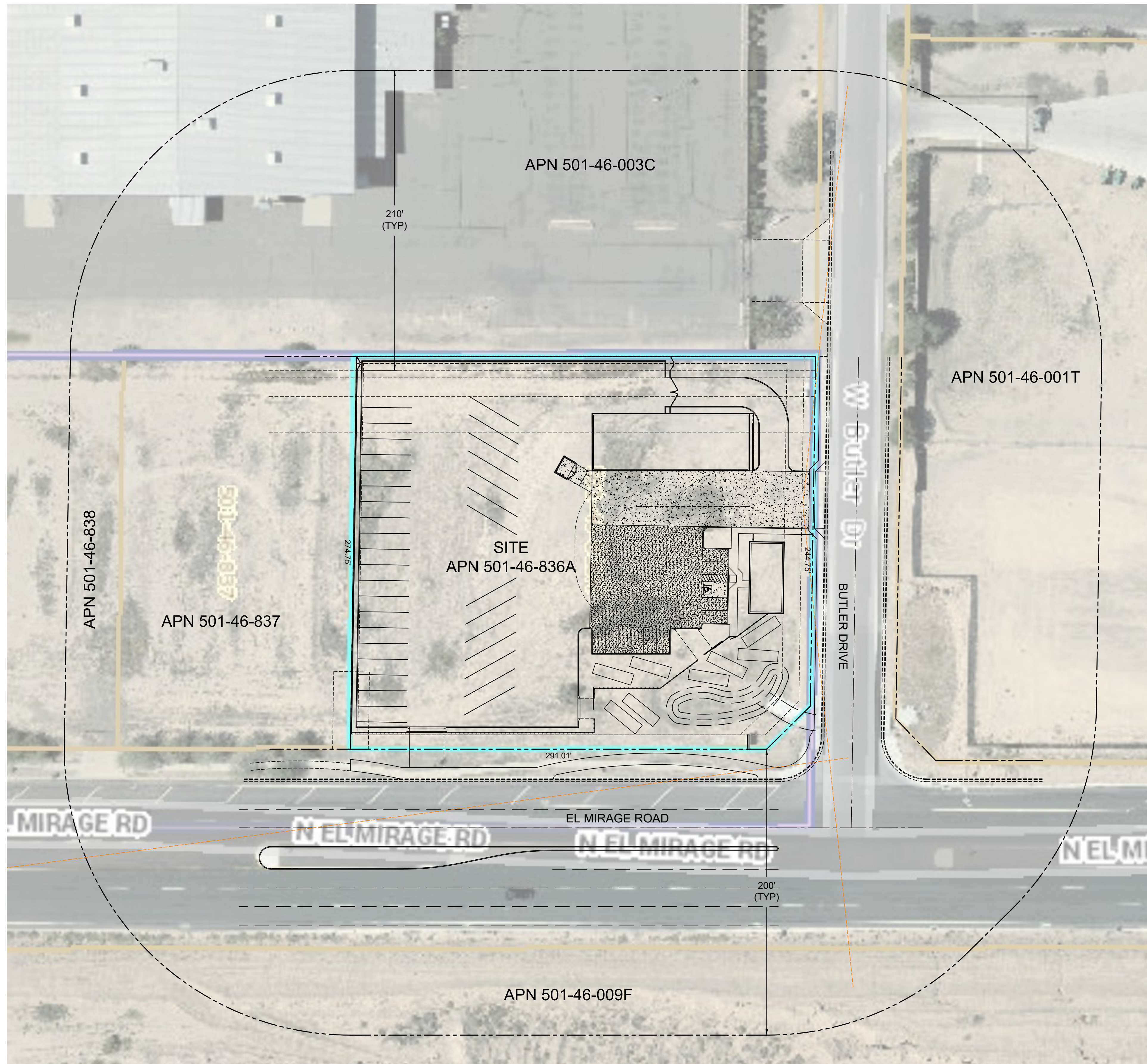
ALTA / NSPS. LAND TITLE SURVEY  
SW. COR OF EL MIRAGE ROAD & BUTLER DRIVE

**ALLIANCE**  
LAND SURVEYING LLC

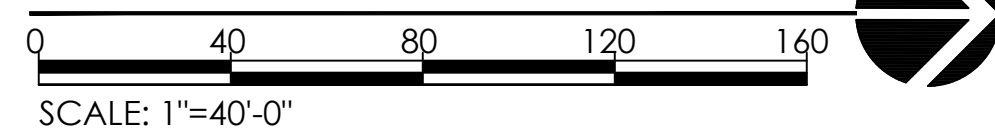
7900 N. 70th AVENUE, SUITE 104  
GLENDALE, AZ 85303  
Phone: (623) 972-2200  
contact@azalls.com  
www.alliancelandsurveying.com

SHEET: 1 of 1 DATE: 8-19-20 JOB NO: 200801

REV	DATE	DESCRIPTION



CONTEXT PLAN



**PROPERTIES WITHIN 200' OF SITE:**

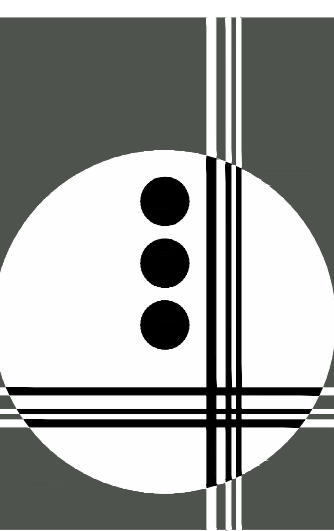
APN 501-46-003C  
 CLAYTON HOMES INC  
 12345 W BUTLER DR, EL MIRAGE, AZ, 85335

APN 501-46-001T  
 JENNER PROPERTIES LLC  
 12398 W BUTLER ST, EL MIRAGE, AZ, 85335

APN 501-46-009F  
 UNION ROCK & MATERIAL CORP  
 8635 N EL MIRAGE RD, EL MIRAGE, AZ, 85335

APN501-46-837  
 DMN FACILITATION LLC  
 8376 N EL MIRAGE RD, EL MIRAGE, AZ, 85335

APN 501-46-838  
 DMN FACILITATION LLC  
 8876 N EL MIRAGE RD, EL MIRAGE, AZ, 85335



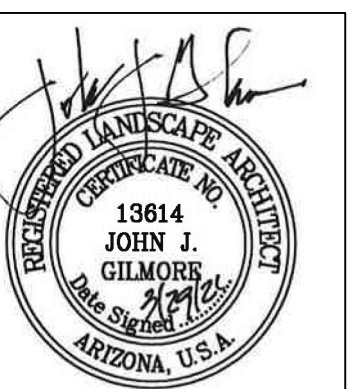
**GILMORE**  
 PLANNING & LANDSCAPE ARCHITECTURE

2211 N. 7th Street  
 Phoenix, Az 85006  
 T 602.266.5622  
 F 602.266.5707  
 www.getgilmore.com

PLANNING  
 LANDSCAPE ARCHITECTURE

PHOENIX MOTOR HOMES - LOT 1  
 12301 W. BUTLER DRIVE  
 EL MIRAGE, AZ 85335  
 PREPARED FOR:

JOB NO.	20
DRAWN BY.	TCB
APPROVED BY.	JJG
DATE.	3.29.21



REVISIONS.

- 1.
- 2.
- 3.
- 4.

CONTEXT PLAN

SHEET

SP1.1

2 OF 2

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# **KEOGH**

## **ENGINEERING, INC**

KEOGH ENGINEERING, INC.

650 N. 137<sup>TH</sup> AVENUE #110  
GOODYEAR, ARIZONA 85338  
(623)535-7260

Consulting Engineers | Land Surveyors [KEOGH@KEOGHENGINEERING.COM](mailto:KEOGH@KEOGHENGINEERING.COM)

29 MARCH 2021

### PHOENIX MOTOR HOMES PRE-APPLICATION SUBMITTAL – DRAINAGE STATEMENT

THE DRAINAGE DESIGN IN THIS DRAINAGE STATEMENT IS BASED ON THE CRITERIA PRESENTED IN THE CITY OF EL-MIRAGE DESIGN AND DEVELOPMENT STANDARDS MANUAL (DDSM), DRAINAGE POLICIES AND STANDARDS FOR MARICOPA COUNTY, ARIZONA AND DRAINAGE REGULATIONS FOR MARICOPA COUNTY GUIDELINES/MANUALS.

LOCATION: A PORTION OF SECTION 35, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

PHOENIX MOTOR HOMES IS A PROPOSED COMMERCIAL CENTER LOCATED AT SWC BUTLER RD. AND EL MIRAGE, AZ 85335. THE PROJECT SITE IS COMPRISED OF PARCEL 501-46-836A AND WHOSE AREAS IS 2.0 ACRES. THE SITE IS LOCATED WITHIN THE CITY OF EL MIRAGE (CITY) LIMITS, WHO SHALL BE THE AUTHORITY WITH JURISDICTION OVER THE PROJECT.

THE PURPOSE OF THIS STATEMENT IS TO PROVIDE A DRAINAGE SUMMARY OF THE PROJECT BY OUTLINING THE EXISTING DRAINAGE CHARACTERISTICS OF THE SITE AND PROVIDING A PRELIMINARY DESCRIPTION OF HOW THE DESIGN OF PROPOSED IMPROVEMENTS WILL HANDLE DRAINAGE AROUND/THROUGH THE SITE.

THE MARICOPA COUNTY, ARIZONA AND INCORPORATED AREAS FLOOD INSURANCE RATE MAP (FIRM) PANEL NUMBER 04013C1680L, DATED OCTOBER 16, 2013, INDICATES THAT THE SITE LIES IN ZONE "X-SHADED". THE LOCATION OF THE SITE ON THE FEMA FIRM FOR THE AREA IS PROVIDED IN EXHIBIT 2. ZONE "X-SHADED" AND ZONE "A" ARE DEFINED BY FEMA AND PER THE FIRM PANEL AS FOLLOWS:

ZONE "X-SHADED": AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM THE 1% ANNUAL CHANCE FLOOD.

PROPOSED IMPROVEMENTS ON THE SITE SHALL BE COMPRISED COMMERCIAL BUILDINGS. ACCESS DRIVEWAYS, DRIVE ISLES, PARKING LOTS AND RETENTION SPACES SHALL BE LOCATED ON THE SITE. DRAINAGE DESIGN AND ANALYSIS FOR THE DEVELOPMENT SHALL THEREFORE BE CARRIED OUT FOR THE SITE AS A WHOLE.

**PHOENIX MOTOR HOMES**  
**PRE-APPLICATION SUBMITTAL – DRAINAGE STATEMENT**

THE DEVELOPMENT SHALL PROVIDE ON-SITE STORM WATER RETENTION AS REQUIRED BY THE CITY OF EL MIRAGE DESIGN & DEVELOPMENT STANDARDS TO MINIMIZE THE IMPACT OF DEVELOPMENT ON DOWNSTREAM NEIGHBORS. STORM WATER RETENTION FACILITIES SHALL BE LOCATED IN DIFFERENT AREAS AROUND THE SITE AND SHALL PROVIDE A TOTAL (COMBINED) VOLUME TO CONTAIN, AT MINIMUM, THE RUNOFF GENERATED BY THE 100-YEAR, 1-HOUR STORM (2.4 INCHES) FALLING OVER THE SITE. PRELIMINARY STORM WATER RETENTION REQUIREMENTS FOR THE SITE ARE SHOWN IN TABLE 1 BELOW:

VOLUME REQUIRED (VR):

VR = 100-YR, 1-HR RETENTION VOLUME

$$VR = C (P/12) A$$

WHERE; C = 0.95 (FCDMC, HYDROLOGY MANUAL, TABLE 3.2, C2)

P = 2.4 INCHES (100-YR, 1-HR PRECIPITATION PER DDSM, 4-1.G.3.B)

A = 2.0 ACRES

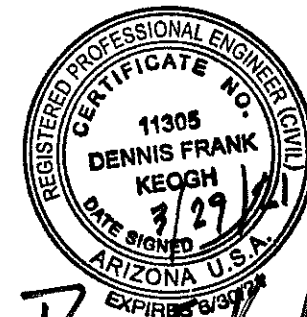
$$VR = 16,669 \text{ SF}$$

THE FINAL DESIGN OF THE DEVELOPMENT SHALL INCORPORATE PROPOSED STORM DRAINS, CHANNELS AND OTHER PHYSICAL IMPROVEMENTS NECESSARY TO CONVEY STORM WATER RUNOFF GENERATED ON-SITE INTO THE RETENTION BASINS AS WELL AS ENSURE THE PROPOSED STRUCTURES SHALL BE FREE FROM FLOODING DURING THE PEAK DESIGN STORM EVENT. THE FINISHED FLOOR ELEVATION FOR ALL PROPOSED STRUCTURES SHALL BE SET AT A MINIMUM TO BE THE HIGHER OF: (A) 1-FT ABOVE THE CALCULATED BASE FLOOD ELEVATION IN THE ADJACENT DRAINAGE CHANNEL, AND (B) 14-INCHES ABOVE THE SITE'S ULTIMATE OUTFALL.

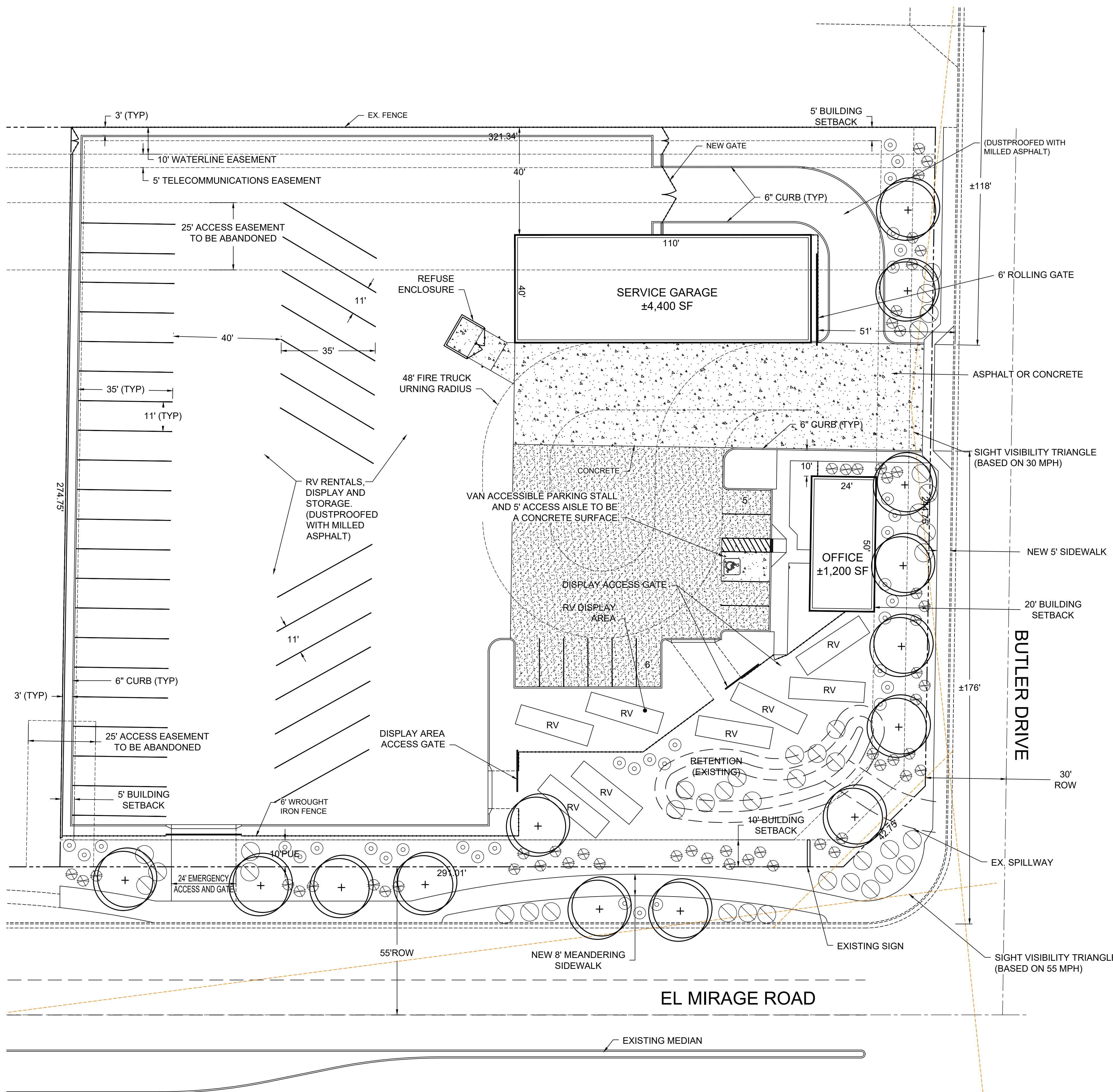
THIS DRAINAGE STATEMENT IS PRELIMINARY IN NATURE AND IS TO SERVE AS A GUIDELINE FOR THE DEVELOPMENT OF THE PROJECT SITE. FINAL CALCULATION OF ONSITE STORM WATER FLOW, ONSITE STORM WATER RETENTION, STORM DRAIN PIPES AND/OR OPEN CHANNEL HYDRAULICS WILL BE PROVIDED IN A FINAL DRAINAGE REPORT FOR THE DEVELOPMENT, PREPARED ALONGSIDE THE FINAL IMPROVEMENT PLANS FOR THE SITE AND SUBMITTED UNDER A SEPARATE COVER.

RESPECTFULLY SUBMITTED,

DENNIS F. KEOGH, P.E., R.L.S.



A handwritten signature in black ink, appearing to read "D.F. Keogh", written over the bottom portion of the professional seal.



**PLANT SCHEDULE**

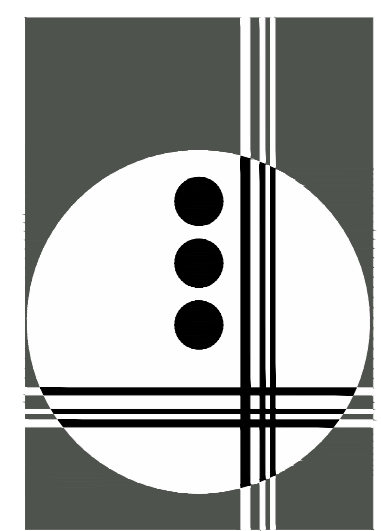
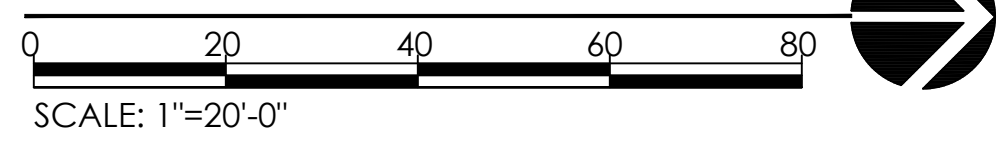
SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY.	REMARKS
<b>TREES</b>				
+	PISTACIA CHINENSIS CHINESE PISTACHE	15 GAL.	14	STAKE AS REQUIRED
<b>SHRUBS</b>				
⊙	LEUCOPHYLLUM LANGMANIAE 'RIO BRAVO' <sup>TM</sup> RIO BRAVO SAGE	5 GAL.	35	1 GPH EMITTER
⊕	HESPERALOE PARVIFLORA RED YUCCA	5 GAL.	54	1 GPH EMITTER
<b>ACCENTS</b>				
⊖	ACACIA REDOLENS 'DESERT CARPET' <sup>1</sup> N.C.N.	1 GAL.	39	1 GPH EMITTER
⊘	DECOMPOSED GRANITE 'MADISON GOLD'	3/4" SCREENED		2" DEPTH ALL LANDSCAPE AREAS

**NOTES:**  
 1) TREE HEIGHTS AND CALIPERS WILL COMPLY WITH "ARIZONA NURSERY ASSOCIATION SPECIFICATIONS" FOR THAT TYPE AND SIZE OF TREE  
 2) LANDSCAPE TO BE WATERED BY AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM.

**LANDSCAPE NOTES**

- CONTRACTOR TO OBTAIN PERMITS FROM LOCAL AGENCIES AND UTILITY COMPANIES HAVING JURISDICTION OVER THIS SITE.
- CONTRACTOR TO VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO ANY INSTALLATION.
- CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY TO INSTALL THE WORK INDICATED ON THE LANDSCAPE DOCUMENTS. HE SHALL BE RESPONSIBLE FOR CAREFUL SITE INSPECTION, DETAILED REVIEW OF THE PLANS, AND COORDINATION WITH OTHER CONTRACTORS ON-SITE PRIOR TO ANY INSTALLATION. ANY DISCREPANCIES SHALL IMMEDIATELY BE BROUGHT TO THE ATTENTION OF THE OWNER'S AGENT.
- PRIOR TO INITIATING THESE LANDSCAPE IMPROVEMENTS, THE LANDSCAPE CONTRACTOR MUST SCHEDULE A PRE-CONSTRUCTION MEETING ON-SITE WITH THE APPROVAL OF THE OWNER AND THE GENERAL CONTRACTOR. THE OWNER'S REPRESENTATIVE AND/OR THE PROJECT LANDSCAPE ARCHITECT MUST BE PRESENT. THE PURPOSE OF THIS MEETING IS TO RESOLVE ANY EXISTING SITE CONDITIONS THAT MAY BE IN CONFLICT WITH THESE LANDSCAPE CONSTRUCTION DOCUMENTS AND THEREFORE IMPACT THE INSTALLATION OF ANY OF THESE PROPOSED IMPROVEMENTS. THIS FIRST MEETING SHOULD BE SCHEDULED TO OCCUR AFTER THE COMPLETION OF ON-SITE AND OFF-SITE IMPROVEMENTS INCLUDING: ALL UNDERGROUND UTILITIES, MASS GRADING, AND STREET IMPROVEMENTS.
- DAMAGE TO EXISTING LANDSCAPING, UNDERGROUND UTILITIES, IRRIGATION LINES, ELECTRICAL LINES, ETC. SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE.
- ANY DISCREPANCIES FOUND BETWEEN THE PLANS AND THE SITE CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT.
- ALL QUANTITIES PROVIDED ARE FOR BIDDING PURPOSES ONLY. LANDSCAPE CONTRACTOR SHALL VERIFY ALL QUANTITIES PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL FINISH GRADES IN LANDSCAPED AREAS. HE SHALL DETERMINE, WITH THE GENERAL CONTRACTOR, THE EXTENT OF ROUGH GRADING AND/OR FINE GRADING TO BE ESTABLISHED BY OTHERS.
- ALL GRADING AND DRAINAGE SHALL BE IN ACCORDANCE WITH THE PLANS PREPARED BY THE PROJECT CIVIL ENGINEER, OR AS DIRECTED BY THE OWNER'S AGENT. PROVIDE POSITIVE DRAINAGE AWAY FROM THE BUILDING(S) IN ALL CONDITIONS. CONTRACTOR TO MEET ALL EXISTING GRADES AT PROJECT BOUNDARIES. FINISH GRADE SHALL BE 3" BELOW THE TOP OF ADJACENT WALKS AND CURBS PRIOR TO RECEIVING MULCH OR DECOMPOSED GRANITE.
- ALL AREAS DISTURBED DURING CONSTRUCTION TO BE FINE GRADED. ADJACENT UNDISTURBED AREAS DAMAGED OR DISTURBED TO BE RESTORED TO ITS ORIGINAL CONDITION AT THE CONTRACTOR'S EXPENSE.
- CONTRACTOR SHALL FINE GRADE ENTIRE LANDSCAPED AREA AS REQUIRED FOR INSTALLATION OF PLANTING. ALL GRADES SHALL BE NEAT, RAKED SMOOTH AND BE FREE OF DEBRIS PRIOR TO SUBSTANTIAL COMPLETION.
- PRIOR TO SPREADING MATERIAL GROUNDCOVERS, ADJUST AND COMPACT FINISH GRADES, APPLY WEED PRE-EMERGENT SURFLAN AS PER MANUFACTURER'S INSTRUCTIONS. THEN SPREAD DECOMPOSED GRANITE, RIVER RUN, OR MULCH AS INDICATED ON PLANS. DECOMPOSED GRANITE SHALL BE WATERED, THEN COMPACTED WITH A SOD ROLLER TO A MINIMUM DEPTH OF 2" AFTER COMPACTION. PROVIDE A SECOND APPLICATION OF THE PRE-EMERGENT SURFLAN AT THE END OF THE MAINTENANCE PERIOD.
- ALL LANDSCAPED AREAS SHALL RECEIVE A 2" TOP DRESSING OF DECOMPOSED GRANITE. PROVIDE SAMPLE OF SIZE AND COLOR FOR APPROVAL BY OWNER'S AGENT PRIOR TO DELIVERY.
- STAKE LOCATIONS OF ALL TREES FOR APPROVAL PRIOR TO INSTALLATION OF ANY PLANT MATERIAL.
- ALL PLANT MATERIAL SHALL BE HEALTHY, VIGOROUS, WELL BRANCHED AND DENSELY FOLIATED (WHEN IN-LEAF) AS IS TYPICAL FOR THE SPECIES. THEY SHALL HAVE HEALTHY, WELL DEVELOPED ROOT SYSTEMS (NOT POT BOUND), A NORMAL HABIT OF GROWTH CONSISTENT WITH INDUSTRY STANDARDS, AND FREE OF ANY BRUISES, CUTS, OR OTHER ABNORMALITIES. PLANT MATERIAL SHALL BE SIZED IN ACCORDANCE WITH THE AMERICAN STANDARD FOR NURSERY STOCK, LATEST EDITION, PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMAN; AND THE ARIZONA NURSERYMAN ASSOCIATION STANDARDS.
- BACKFILL MIXTURES, EXCEPT AS NOTED, TO BE COMPRISED OF 75% NATIVE SOIL AND 25% DECOMPOSED GRANULAR BARK MULCH, AND 2 LBS. DISPERSAL PER CUBIC YARD OF BACKFILL.
- ADD AGRI-FORM FERTILIZER TABLETS AT THE FOLLOWING RATES:  
 1 GALLON PLANT - 1 TABLET    15 GALLON PLANT - 4 TABLETS  
 5 GALLON PLANT - 2 TABLET    BOXED TREE - 6 TABLETS (MIN.)  
 TABLETS TO BE PLACED NO DEEPER THAN 6 INCHES BELOW SOIL SURFACE.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ALL PLANTS SHOWN ON PLANTING PLAN. DO NOT SUBSTITUTE PLANTS BY TYPE OR QUANTITY WITHOUT WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT OR OWNER'S AGENT.
- THE OWNER'S AGENT RESERVES THE RIGHT TO REJECT ANY SELECTION OF PLANT MATERIAL THAT DOES NOT SATISFY THE INTENT OF THE LANDSCAPE DESIGN BASED ON; SIZE, SHAPE, EVIDENCE OF STRESS OR IMPROPER CARE.
- PRIOR TO INITIATING THE 90-DAY MAINTENANCE PERIOD, COMPLETE ANY INITIAL PUNCH LIST ITEMS, THEN OBTAIN APPROVAL FROM OWNER'S AGENT OF SUBSTANTIAL COMPLETION. DETERMINE WITH OWNER'S AGENT THE START DATE FOR THE 90-DAY MAINTENANCE PERIOD. CONTRACTOR TO THEN MAINTAIN LANDSCAPE WHICH MAY INCLUDE WATERING, WEEDING, PRUNING, AND REPLACEMENT OF ANY MATERIAL THAT HAS DIED OR IS SHOWING EVIDENCE OF STRESS. SUBMIT WRITTEN REQUEST FOR FINAL PUNCH LIST ONE WEEK PRIOR TO END OF MAINTENANCE PERIOD.
- PROVIDE OWNER WITH A WRITTEN GUARANTEE OF ONE YEAR FOR ALL TREES AND SIX (6) MONTHS FOR ALL OTHER PLANT MATERIAL DATED FROM START OF MAINTENANCE PERIOD AGAINST DEFECTS INCLUDING DEATH AND UNSATISFACTORY GROWTH. PROVIDE OWNER WITH WRITTEN INSTRUCTIONS OUTLINING MAINTENANCE PROCEDURES TO BE ADOPTED IN ORDER TO PROTECT GUARANTEE. INCLUDE WATERING SCHEDULE AND FERTILIZER PROGRAM.

**LANDSCAPE PLAN**



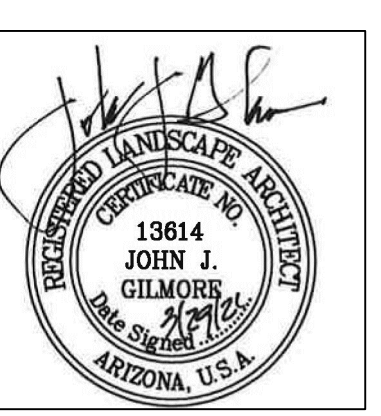
**GILMORE**  
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PLANNING  
 LANDSCAPE ARCHITECTURE

**PHOENIX MOTOR HOMES - LOT 1**  
 12301 W. BUTLER DRIVE  
 EL MIRAGE, AZ 85335  
 PREPARED FOR:

JOB NO. 20  
 DRAWN BY: TCB  
 APPROVED BY: JJC  
 DATE: 3.29.21



REVISIONS:  
 1.  
 2.  
 3.  
 4.

LANDSCAPE PLAN  
 SHEET

Computer-generated drawing of 110' x 40' x 16' pre-fab steel building



Photograph of actual building similar in size and style



## Front El Mirage RD



### Building Specs

Width: 40'  
Length: 110'  
Height: 20'  
Roof Pitch: 1":12"

### Colors

Roof Color: Polar White  
Wall Color: Desert Sand  
Trim Color: Koko Brown

# Front El Mirage / W Butler Dr.



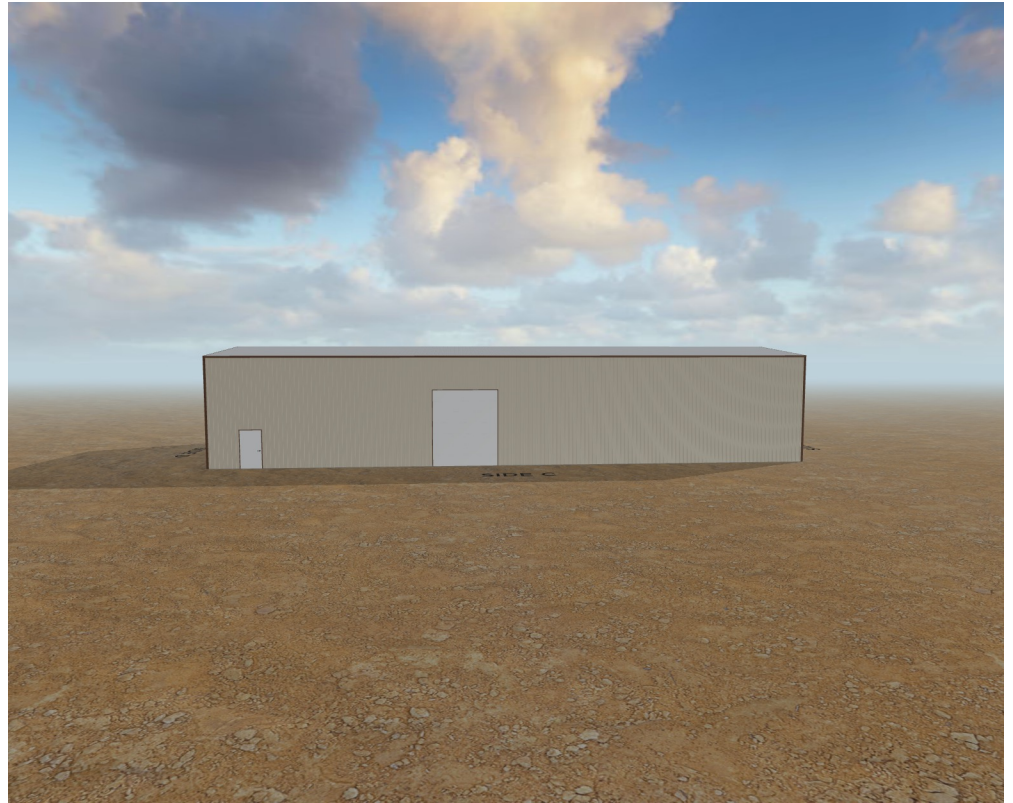
## Building Specs

Width: 40'  
Length: 110'  
Height: 20'  
Roof Pitch: 1":12"

## Colors

Roof Color: Polar White  
Wall Color: Desert Sand  
Trim Color: Koko Brown

## Front Clyton Side



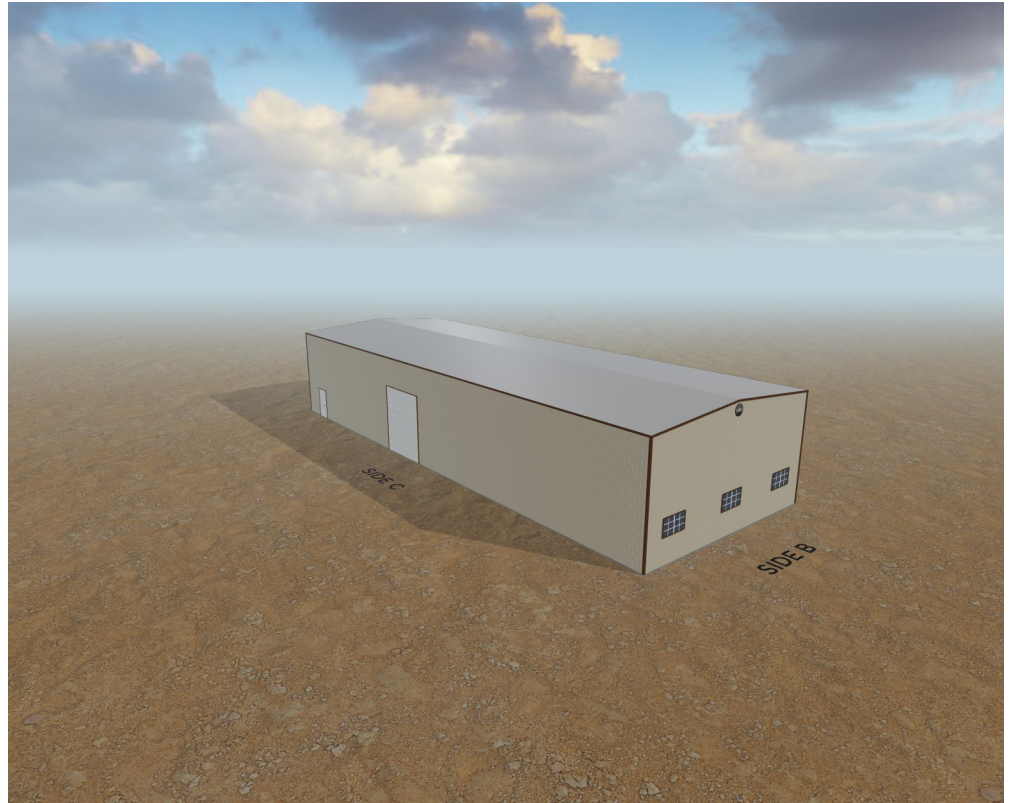
### Building Specs

Width: 40'  
Length: 110'  
Height: 20'  
Roof Pitch: 1":12"

### Colors

Roof Color: Polar White  
Wall Color: Desert Sand  
Trim Color: Koko Brown

## Clyton / South Side



### Building Specs

Width: 40'  
Length: 110'  
Height: 20'  
Roof Pitch: 1":12"

### Colors

Roof Color: Polar White  
Wall Color: Desert Sand  
Trim Color: Koko Brown

Sample images of double-wide modular pre-fab office buildings



# Certified Environmental Services Inc.

Service Disabled Veteran Owned Small Business

5230 North 16<sup>th</sup> Street  
Phoenix, Arizona 85016  
Phone: (602) 230-1471  
Fax: (602) 230-9598  
www.cesaz.com  
ROC 239895

## ASTM STANDARD E 1527-05 PHASE I ENVIRONMENTAL SITE ASSESSMENT



*5 Acres of Vacant Land*

*12325 West Butler Drive & 8376 North El Mirage Road  
El Mirage, Maricopa County, Arizona  
CES Project # 12117N03R01W35AAA*

**PHASE I  
ENVIRONMENTAL SITE ASSESSMENT  
ASTM STANDARD E 1527-05**

**5 Acres of Vacant Land  
12325 West Butler Drive and 8376 North El Mirage Road  
El Mirage, Maricopa County, Arizona 85335**

*Client Project Name: Clayton Industrial (Lots 1-4)*

**PREPARED FOR  
Butler & El Mirage LLC.  
7801 North Black Canyon Highway  
Phoenix, Arizona 85021**

**PREPARED BY  
CERTIFIED ENVIRONMENTAL SERVICES, INC.**

5230 North 16<sup>th</sup> Street  
Phoenix, Arizona 85016  
Telephone (602) 230-1471 Fax (602) 230-9598  
www.cesaz.com  
*Service Disabled Veteran Owned Small Business  
ROC239895*

CES Project #12117N03R01W35AAA

**DATE**

May 7, 2012



---

Derek E. Longstaff



---

Rodney T. Bowen



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MIRAGE, LLC AND CERTIFIED ENVIRONMENTAL SERVICES, INC.**

TABLE OF CONTENTS

**SUMMARY OF FINDINGS, OPINIONS AND CONCLUSIONS .....4**

**CLIENT RELIANCE.....6**

**1.0 INTRODUCTION.....7**

**2.0 SCOPE OF SERVICES .....8**

    2.1 Client and/or User’s Responsibilities.....8

    2.2 Scope of Work .....9

    2.3 Significant Assumptions .....9

    2.4 Limitations and Exceptions .....9

    2.5 Special Terms and Conditions .....11

**3.0 SITE DESCRIPTION .....12**

    3.1 Location and Legal Description .....12

    3.2 Site Ownership and Vicinity General Characteristics .....12

    3.3 Current Use of the Property .....12

    3.4 Property Manager and Occupant Information .....13

**4.0 INTERVIEW AND QUESTIONNAIRE INFORMATION .....14**

    4.1 Specialized Knowledge and Experience of Owner .....14

    4.2 Interviews.....14

    4.3 Additional Interviews.....16

    4.4 User/Clients Reason for Phase I Assessment .....18

    4.5 Title Search .....18

    4.6 Environmental Liens or Activity and Use Limitations .....18

**5.0 RECORDS REVIEW .....19**

    5.1 National Priorities List (NPL) .....19

    5.2 Federal Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) No Further Remedial Action Planned (NFRAP)/Superfund Site/Department of Defense (DOD) Site .....19

    5.3 Resource Conservation and Recovery Act (RCRA).....20

    5.4 Emergency Response Notification System (ERNS) List .....21

    5.5 Tribal Records .....22

    5.6 Water Quality Assurance Revolving Fund (WQARF) Sites .....22

    5.7 Arizona Superfund Program List (ASPL)/Declaration of Environmental Use Restriction (DEUR)/Voluntary Environmental Mitigation Use Restriction (VEMUR) .....22

    5.8 Hazardous Materials Incidents Logbook .....23

    5.9 Landfills .....24

    5.10 Underground Storage Tanks (UST) .....24

    5.11 Leaking Underground Storage Tanks (LUST) .....25

    5.12 Drywells.....25

    5.13 Groundwater/Aquifer Protection Program (APP).....26

    5.14 Toxic Chemical Release .....26

    5.15 Air Quality Permits.....27

    5.16 Superfund Amendments and Reauthorization Act (SARA).....27

    5.17 Mine and Mineral Resources.....28

    5.18 Fire Department Review/Hazardous Substance Permits.....28

    5.19 Aerial Photograph Review.....28

    5.20 Subject Site Historical Use.....30

    5.21 Other Historical Sources.....30

<b>6.0</b>	<b>PHYSICAL SETTING SOURCES.....</b>	<b>32</b>
6.1	Topography.....	32
6.2	Surface Water Hydrology.....	32
6.3	Hydrology/Registered Wells (Groundwater Conditions) .....	33
6.4	Soil Conditions.....	33
6.5	Hydrogeology.....	34
6.6	Source of Drinking Water .....	35
6.7	Septic/Sewer System.....	36
<b>7.0</b>	<b>SITE RECONNAISSANCE .....</b>	<b>37</b>
7.1	Methodology .....	37
7.2	Site Structures .....	37
7.3	Hydraulic Equipment /PCB Fluid Containing Equipment .....	37
7.4	Hazardous and Regulated Materials .....	37
7.5	Material Safety Data Sheet (MSDS) .....	37
7.6	Salvage Storage.....	38
7.7	Drums .....	38
7.8	Property Grounds/Vegetation.....	38
7.9	Concrete/Asphalt Areas.....	38
7.10	Surface Abnormalities/Depressions .....	38
7.11	Rubbish/Debris.....	38
7.12	Solid Waste .....	38
7.13	Liquid Waste/Pits/Ponds/Lagoons.....	38
7.14	Surface Drainage.....	39
7.15	Water Retention .....	39
7.16	Stained Ground Surfaces.....	39
7.17	Fill Dirt.....	39
7.18	Drywells.....	39
7.19	Other Wells .....	39
7.20	Under/Aboveground Storage Tanks.....	39
7.21	Electrical Transformers.....	39
7.21	Underground Gas Line .....	39
<b>8.0</b>	<b>ADJOINING SITES.....</b>	<b>41</b>
8.1	Adjoining Properties .....	41
8.2	Past Use of Adjoining Properties .....	41
8.3	Area Reconnaissance.....	42
<b>9.0</b>	<b>INTERVIEWS .....</b>	<b>43</b>
9.1	Interview with Owner .....	43
9.2	Additional Interviews and File Reviews.....	43
<b>10.0</b>	<b>REFERENCES: HISTORICAL RECORDS DOCUMENTATION AND REGULATORY RECORDS DOCUMENTATION REVIEWED .....</b>	<b>44</b>
<b>11.0</b>	<b>INTERVIEW DOCUMENTATION .....</b>	<b>46</b>
<b>12.0</b>	<b>MAPS, DOCUMENTS, AND PHOTOGRAPHS .....</b>	<b>47</b>
<b>13.0</b>	<b>ENVIRONMENTAL CONSULTANT QUALIFICATIONS.....</b>	<b>48</b>
<b>14.0</b>	<b>GENERAL .....</b>	<b>50</b>

## SUMMARY OF FINDINGS, OPINIONS AND CONCLUSIONS

This report represents the results of a Phase I Environmental Site Assessment (ESA) conducted by Certified Environmental Services Incorporated (CES) on the property described as the 5 Acres of Vacant Land located at 12325 West Butler Drive and 8376 North El Mirage Road, El Mirage, Maricopa County, Arizona, the subject site. The work was authorized through a contract signed on April 27, 2012, by Mr. Luke Lewis of Butler & El Mirage, LLC.

Please note: the Environmental Site Assessment Process 1527-05 must occur prior to acquisition of the subject site to qualify for “All Appropriate Inquiry.”

This section of the report is a cursory summary of the findings. However, details were not included or fully developed in this section, and the report must be read in its entirety for a comprehensive understanding of the information it contains.

No records found for the subject site indicated the site has been subjected to any Environmental Regulatory Action requiring further investigation, environmental use restrictions or activity and use limitations.

CES has performed this Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Standard E 1527-05 of 12325 West Butler Drive and 8376 North El Mirage Road, El Mirage, Maricopa County, Arizona. Any exceptions to, or deletions from, this practice are described in Section 2.5 of this report. This assessment has revealed no evidence of Recognized Environmental Conditions (RECs) in connection with the subject site.

### **The following Significant Findings were found for the subject site:**

- There is a drywell registered to the 8376 address. No drywell was observed at the time of the site reconnaissance. Drywell records have been requested.

### **Summary of Environmental Conditions Found Within ASTM Search Radius:**

- One (1) facility or within a one-eighth ( $\frac{1}{8}$ ) mile radius of the subject site has been listed on the Resource Conservation and Recovery Act (RCRA) database as a generator.
- One (1) Closed Municipal Solid Waste Landfill (CMSWLF), is located within a one-half ( $\frac{1}{2}$ ) mile radius of the subject site.
- Five (5) registered Underground Storage Tanks USTs have been removed from one (1) facility within one-eighth ( $\frac{1}{8}$ ) mile of the subject site.
- Two (2) facilities within a one-quarter ( $\frac{1}{4}$ ) mile radius of the site have filed a Toxic Chemical Release Inventory (TRI) Form R.
- One (1) facility located adjacent to the west of the subject site is a Historic Superfund Amendments and Reauthorization Act (SARA) Title III Notifier.

These are Environmental Conditions found within the ASTM recommended search radius. There is no evidence these Environmental Conditions are RECs or have had any impact on the subject site.

Data Gaps: The owner did not return a completed questionnaire nor was CES able to interview the owner. Not all aerial photographs in 5 year intervals included the subject site. However, it is believed that the aerials viewed showed the use of the site had not significantly changed over the span of years; other historical data was used to fill these gaps. CES does not believe this is significant.

No significant data gaps were discovered during site assessment activities performed for the subject site.

Based on visual inspection of the site, review of historic records, and interviews with government agencies and individuals familiar with the area, it is CES' opinion the past and present activities conducted on the properties adjoining it have had no apparent negative environmental effects on the subject site. The current and past use of the subject site has the potential to have a negative environmental impact to the site. If the recommendations made by CES are implemented and nothing of concern is found, CES sees no reason to recommend further environmental investigation of the subject site at this time.

*Our services did not include sampling of soil, groundwater, radon, or lead.*

## CLIENT RELIANCE

CES has completed a Phase I Environmental Site Assessment of the 5 Acres of Vacant Land located at 12325 West Butler Drive and 8376 North El Mirage Road, El Mirage, Maricopa County, Arizona. This assessment was performed at the request of the Client in accordance with the ASTM 1527-05 Standard, utilizing methods and procedures consistent with good commercial or customary practice designed to conform to acceptable industry standards. This report is exclusively for the use and benefit of the Client and identified Users on the first page of this report and is not for the use or benefit of, nor may it be relied upon by, any other person or entity without the advance written consent of CES. The independent conclusions represent CES' best professional judgment based on information and data available during the course of this assessment. CES certifies that the information provided is true and correct in accordance with 18 U.S.C. § 1001. Factual information regarding operations, conditions and test data provided by the client, owner or their representative has been assumed to be correct and complete. Additionally, the conclusions presented are based on the conditions that existed and the information available at the time of the assessment.

CES has no present, nor do we contemplate any future partnership with the Client. CES has no interest in the property to be inspected which could adversely affect CES' ability to perform an objective assessment. Neither the employment of CES to conduct the Phase I ESA, nor the compensation for it, is contingent on the results of the Phase I ESA.

Project Manager: Carol Longstaff  
Researched by: Dennis Hipsher, Daniel Reavey and Wil Bowen  
Surveyed by: Derek E. Longstaff  
Written by: Carol Longstaff, Wil Bowen and Daniel Reavey  
Report Reviewed by: Derek E. Longstaff EP and Rodney T. Bowen, EP

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312.

We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject site. We have developed and performed the "all appropriate inquiries" in conformance with the standards and practices set forth in 40 CFR Part 312 and the ASTM 1527-05.



Derek E. Longstaff  
Environmental Professional



Rodney T. Bowen  
Environmental Professional

## 1.0 INTRODUCTION

This assessment has been conducted in accordance with the ASTM “*Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*” E 1527-05.

### Purpose

The purpose of a Phase I Environmental Site Assessment is to identify, to the extent feasible pursuant to the processes prescribed herein, “recognized environmental conditions” associated with the subject site. The term “**recognized environmental conditions**” is defined by ASTM as “the presence or likely presence of any hazardous substance or petroleum product on a property under conditions that indicate an existing release, a past release, or a material threat of release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater or surface water of the property.”

This practice is to define good commercial and customary practice in the United States of America for conducting an environmental site assessment of a parcel of commercial real estate with respect to the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and *petroleum products*. As such, this practice is intended to permit a user to satisfy one of the requirements to qualify for the *innocent landowner, contiguous property owner or bona fide prospective purchaser limitations on CERCLA liability*: that is, the practices that constitute “all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice” as defined in 42 USC § 9601 (35) (B).

Please note a Phase I Assessment maybe used for other purposes which will be identified in Section 4.4 of this report.

*Controlled Substances* are not included within the scope of the standard. Additionally this evaluation is not a *business environmental risk assessment*. The *business environmental risk assessment* would require investigation beyond that identified in the ASTM Standard E 1527-05 practice and would have to be included as a non-scope issue as part of this report.

## 2.0 SCOPE OF SERVICES

### 2.1 Client and/or User's Responsibilities

The ASTM Standard E 1527-05 identifies the following Client or User responsibilities, which do not require the technical expertise of an Environmental Professional (EP) and may be performed by the Client or User:

***Title Search***-Reviewing Title Records for Environmental Liens or Activity and Land Use Limitations is the responsibility of the Client or User. If any records are found, this information shall be reported to the EP. The ASTM Standard E 1527-05 does not impose the responsibility of a title search on the EP.

***Specialized Knowledge Or Experience Of The Client Or User***-If the Client or User is aware of any specialized knowledge or experience that is material to recognized environmental conditions in connection with the subject site, it is the Client's or User's responsibility to inform the EP of this information or knowledge prior to the site reconnaissance.

***Significantly Lower Purchase Price***-If the Client or User should have actual knowledge that the purchase price of the property is significantly less than the purchase price of comparable properties due to environmental concerns on the subject site or adjacent properties, the Client or User should impart this information to the EP prior to the site reconnaissance.

***The User Shall Make Known To The EP The Reason Why The User Wants To Have The Phase I Environmental Site Assessment Performed*** or, if the User does not identify the purpose, the EP shall assume the purpose is to qualify for a Landowner Liability Protection (LLP) to CERCLA liability. It is the Client's or User's responsibility to identify to the EP the purpose and to modify the Scope of Work under this practice for special circumstances, such as but not limited to the potential environmental conditions that could materially impact the operation of a business associated with the parcel of land.

***Environmental Liens Or Activity And Use Limitations***-Reasonably ascertainable recorded land title records and lien records that are filed under federal, tribal, state, or local laws should be reviewed to identify environmental liens or activity and use limitations, if any, that are currently recorded against the property. Any environmental liens or activity and use limitations so identified shall be reported to the EP.

***Commonly Known Or Reasonably Ascertainable Information***-If the User is aware of any commonly known or reasonably ascertainable information within the local community or about the property that is material to recognized environmental conditions in connection with the property, it is the User's responsibility to communicate such information to the EP. The User should do so before the EP conducts the site reconnaissance.

## **2.2 Scope of Work**

The following Scope of Work was agreed upon by both parties and is limited to:

A reconnaissance of the site, as allowed by readily available access, was undertaken to visually identify indications of actual or potential site contamination. Adjacent sites were viewed from the boundaries and did not include actual on-site inspection. This did not include any type of inspection that would require extraordinary effort to obtain.

A review of reasonably ascertainable historical records, site-use documents, street directories, plat plans and aerial photographs available through standard government agencies and commercial services was performed. Historical records were reviewed from the present, back to the property's first developed use, or back to 1940, whichever is earlier. Aerials and directories are reviewed in five (5) year intervals.

The records obtained and reviewed meet or exceed the minimum search distances recommended by the ASTM Standard E 1527-05 Practice. In case of large, irregular-shaped sites, the distance shall be measured from the nearest property boundary. Any reduction of the minimum search distance is based on the density of the setting and the likely migration of hazardous substances or petroleum products, based on local geologic or hydrogeologic conditions.

A vehicular reconnaissance of the adjacent properties and the immediate surrounding area of the subject site was performed to identify current land use and to determine its potential to negatively affect the subject site.

A review of published hydrogeological information, geological maps and records was performed to evaluate the potential migration characteristics of the area and to determine depth to groundwater in the area of the site.

Interviews were conducted with individuals who are familiar with the subject site and who may have experience or special knowledge regarding environmental concerns on the site or the surrounding area. An individual most knowledgeable of the subject site was given the questionnaire containing the environmental questions established by ASTM Standard 1527-05 Environmental Site Assessment Process and 1528-06 Transaction Screen. The written answers to this questionnaire are included in this report.

All technical services are performed by an EP with training and education in environmental technology.

The Phase I ESA Report summarizing our findings, opinions and, if required, recommendations for further investigation, has been completed.

## **2.3 Significant Assumptions**

It is assumed that the User has provided any and all pertinent information concerning the subject site and surrounding properties as actually known by the User.

## **2.4 Limitations and Exceptions**

This ESA is a visual observation of apparent environmental concerns. The scope of work did not include the sampling and chemical analysis of soil, groundwater, air or building materials, nor does this report include the investigation of process/operations

of an existing facility in compliance with applicable environmental laws and regulations.

In preparing this report, CES must rely on information obtained from government agencies. Some of this information requires a legal description of the site. If the client did not provide this legal description, then some historical data may not be obtained, and this section will state no legal was provided.

In preparing this report, CES has relied upon certain information provided by federal, state and local officials and knowledgeable individuals, as well as information contained in the files of federal, state, county and local agencies. CES did not attempt to independently verify the accuracy or completeness of all information provided during the course of this investigation. No warranty is made regarding the accuracy of any publicly documented information or the opinions of officials or other persons consulted.

In the event that counsel, title examiner, or peer review for the Client obtains information on environmental or hazardous waste issues at the subject site not contained in this report, such information shall be brought to CES' attention immediately. CES will evaluate such information and, based on this evaluation, may modify the conclusions stated in this report.

In certain instances, alternatives may have been substituted for the standard sources stated in ASTM Standard Practice E 1527-05. This has been done only in those situations when these alternatives are of equal or better reliability and detail or if a standard source is not readily ascertainable.

Factual information regarding the operations, conditions and test data provided by the Client, owner and/or their representatives have been assumed to be correct and complete.

The conclusions and recommendations presented in this report are based upon reasonable visual inspection of the site and research of readily available documentation. This information is relevant to the date of the site visit and should not be relied upon to represent conditions later. CES is not responsible for the impact of any change in environmental standards, practices or regulations subsequent to the performance of its services.

This report does not consider *de minimis* conditions (i.e., small amounts of hazardous substances) that generally do not pose a risk of material harm to public health or the environment and generally would not be the subject of enforcement action if brought to the attention of appropriate government agencies.

Time constraints limit some receipt of information, such as fire department and other agencies, which require written requests and up to two (2) weeks or more to respond to these requests. Whenever possible CES will endeavor to obtain this information; however, when it is not possible, CES will state: DATA FAILURE DUE TO TIME CONSTRAINTS.

Completion of this report in the prescribed time is contingent on the receipt of the requested documents from government agencies, Client and/or owner of the subject site, as requested.

Unrestricted access to all portions of the building or buildings must be provided. If additional visits to the site are required to finish the site reconnaissance due to tenant refusal to allow entry to the site, an additional charge will be added to the price of the report. The owner or owner's agent must notify the tenant(s) prior to the time of the site reconnaissance that the assessor will be visiting the site.

The information provided in the site reconnaissance is relevant to the date of the on-site work and should not be relied on to represent conditions at later dates.

Use of this Phase I ESA without the express written permission of CES releases CES from any liability that may arise from the use of this report.

Reasonably ascertainable, for purposes of this report, is information that is (1) publicly available, (2) obtainable from the source within reasonable time and cost constraints, and (3) practically reviewable.

This environmental assessment does not address issues that are not necessarily relevant to the environmental characteristics of the subject site, such as: geotechnical suitability including subsidence; economic profitability; appropriate zoning; condition of the plumbing, electrical, roofing, and HVAC systems; and building structure.

Specific areas to which access was limited by site conditions or conditions outside of CES' control included the following: None.

*Our services did not include sampling of soil, groundwater, radon, or lead.*

## **2.5 Special Terms and Conditions**

If there are any changes, deletions or additions to the Standard E 1527-05 Phase I Environmental Site Assessment Process, they have been agreed to by the Client and CES and are included in the contract. All of these deviations have been noted in this section of the report.

The subject site was researched back to 1949. At that time, the site was part of a larger agricultural property. No readily available records were found for the site prior to 1949.

No changes, deletions, or additions to the standard E 1527-05 Phase I Environmental Site Assessment Process were included in the contract.

*The following non-scope issues to the ASTM Standard E 1527-05 are included as part of this report: None*

*All non-scope issues must be identified prior to starting the Phase I Procedure. These issues may include, but are not limited to, Comprehensive and Limited Asbestos surveys, investigation of utility transmission lines, underground transmission pipelines, Radon testing, wetlands review, endangered species, and Lead testing.*

### 3.0 SITE DESCRIPTION

#### 3.1 Location and Legal Description

The property, 12325 West Butler Drive and 8376 North El Mirage Road, referred to in this report is in the City of El Mirage, County of Maricopa, State of Arizona, and is described as follows:

The Client did not provide a legal description of the subject site.

Maricopa County Parcel Number: 501-46-836, 837, 838 and 839

#### 3.2 Site Ownership and Vicinity General Characteristics

The subject site is currently owned by Compass Bank, 8100 East Arapahoe Road, 3<sup>rd</sup> Floor, Centennial, Colorado 80112

##### ■ Lot Size

The subject site consists of approximately 220,462 square feet, or 5.06 acres, of land and is rectangular in shape.

##### ■ Site Improvements

The subject site has not been improved. Sewer, gas, water, and electric power are not currently connected to the site.

##### ■ Zoning

The subject site is zoned B-3 and I-2, General Services and General Industrial, by the City of El Mirage.

##### ■ Area Utilities/Services

- Water: City of El Mirage
- Gas Service: Southwest Gas Corporation
- Sewer System: City of El Mirage
- Electric Power: Arizona Public Service (APS)
- On-site Non-Hazardous Waste Collection: Not applicable
- On-site Regulated and /or Hazardous Waste Collection: Not applicable

#### 3.3 Current Use of the Property

The subject site is made up of four (4) individual parcels. The subject site is undeveloped; there are no current tenants. Refer to “*Summary of Findings, Opinions and Conclusions*” or to “*Site Reconnaissance*” in Section 7.0 of this report for a detailed description of the subject site and its uses. Refer to the “*Cole’s and Telephone Directories*” in Section 5.20 of this report for a list of some of the previous occupants of the site.

### **3.4 Property Manager and Occupant Information**

CES was not provided any owner information except that Compass Bank owned the property. Therefore CES was not able to interview any person knowledgeable of the property. The property was purchased by Compass Bank in 2007 in a Trustee Sale. Refer to Sections 4.2 and 4.3 of this report for any information provided from the questionnaires. The property has never been developed.

## 4.0 INTERVIEW AND QUESTIONNAIRE INFORMATION

The purpose of this section is to describe the task to be performed that will help identify the possibility of recognized environmental conditions in connection with the subject site. These tasks do not require the technical expertise of an EP and are generally not performed by the EP performing a Phase I Environmental Assessment.

In order to qualify for one of the LLPs offered by the Small Business Liability Relief and Brownfield's Revitalization Act of 2001 (the "Brownfield's Amendments"), the user must provide the following information (if available/or known) to the EP. Failure to provide this information could result in a determination that "all appropriate inquiry" is not complete.

### 4.1 Specialized Knowledge and Experience of Owner

According to the ASTM '*Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process E 1527-05*,' the owner of the property should be contacted in order to obtain information regarding the presence, or absence, of recognized environmental conditions in connection with the subject site. In conformance to this protocol, CES sent the Client a copy of the following questionnaires. The owner Compass Bank acquired the property in a Trustee Sale, no contact for the owner was provided. Refer to Sections 4.2 and 4.3 for both questionnaires. The Client did not return our questionnaire.

### 4.2 Interviews

#### ASTM E 1527-05 Phase I Environmental Questionnaire

1. **Environmental cleanup liens that are filed or recorded against the site (40 CFR 312.25).** Are you aware of any environmental cleanup liens against the property that are filed or recorded under federal, tribal, state or local law?

Owner:

2. **Activity and Land Use Limitations that are in place on the site or that have been filed or recorded in a registry (40 CFR 312.26).** Are you aware of any Activity and Land Use Limitations, such as engineering controls, land use restrictions or institutional controls that are in place at the site and/or have been filed or recorded in a registry under federal, tribal, state or local law?

Owner:

3. **Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).** As the user of this ESA, do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business?

Owner:

4. **Relationship of the purchase price to the fair market value of the property if it were not contaminated (40 CFR 312.29).**

- A. Does the purchase price being paid for this property reasonably reflect the fair market value of the property?

Owner:

- B.** If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property?

Owner:

5. **Commonly known or reasonably ascertainable information about the property (40 CFR 312.30).** Are you aware of commonly known or reasonably ascertainable information about the property that would help the EP to identify conditions indicative of releases or threatened releases?

- (a.) Do you know the past uses of the property?

Owner:

- (b.) Do you know of specific chemicals that are present or once were present at the property?

Owner:

- (c.) Do you know of spills or other chemical releases that have taken place at the property?

Owner:

- (d.) Do you know of any environmental cleanups that have taken place at the property?

Owner:

6. **The degree of obviousness of the presence or likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31).** As the user of this ESA, based on your knowledge and experience related to the property are there any obvious indicators that point to the presence or likely presence of contamination at the property?

Owner:

The preparer of the questionnaire has completed and signed the following statement:

*Those individuals who completed the environmental questionnaire acknowledge the above statements and facts are true and correct to the best of their actual knowledge. No material facts have been concealed or misstated, and the questionnaire was answered to the best of their actual knowledge.*

*The questionnaire was sent to:*

Name: Mr. Luke Lewis Title: Client Representative

Firm: Luke Land Realty and Investment

Address: 7801 North Black Canyon Freeway, Phoenix, Arizona

Phone Number: (602) 995-7575 Date: April 27, 2012

Preparer's relationship to the site: Mr. Lewis represents the buyer.

Preparer's relationship to user: Mr. Lewis represents a user of this report.

### 4.3 Additional Interviews

1. Is the property or any adjoining property used for an industrial use?

CES: Yes, site is located in a mixed use area, which is made up of commercial and industrial sites.

2. Did you observe evidence or do you have any prior knowledge that the property or any adjoining property has been used for an industrial use in the past?

CES: Yes, site is located in a mixed use area, which is made up of commercial and industrial sites.

3. Is the property or any adjoining property currently used as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard, landfill, waste treatment, storage, disposal, processing or recycling facility?

CES: No

4. Did you observe evidence, or do you have any prior knowledge, that the property or any adjoining property has been used in the past as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard, landfill, waste treatment, storage, disposal, processing or recycling facility?

CES: No

5. Are there currently, or did you observe evidence, or do you have prior knowledge, that there are or have been previously, any damaged or discarded automotive or industrial batteries, pesticides, paints, or other chemicals in individual containers of greater than 5 gallons (19 Liters) in volume or 50 gallons (190 Liters) in aggregate, stored on or used at the subject site or at the facility?

CES: No

6. Are there currently, or did you observe evidence, or do you have any prior knowledge, that there are or have been previously, any industrial drums (typically 55-gallon) or sacks of chemicals located on the property or at the facility?

CES: No

7. Did you observe evidence, or do you have any prior knowledge, that fill dirt has been brought onto the property that originated from a contaminated site or that is of an unknown origin?

CES: No

8. Are there currently, or did you observe evidence, or do you have any prior knowledge, that there are or have been previously, any pits, ponds or lagoons located on the property in connection with waste treatment or waste disposal?

CES: No

9. Is there currently, or did you observe evidence, or do you have any prior knowledge, that there has been previously any stained soil on the property?

CES: No

10. Are there currently, or did you observe evidence, or do you have any prior knowledge, that there are or have been previously, any registered or unregistered storage tanks (above or underground) located on the property?

CES: No

11. Are there currently, or did you observe evidence, or do you have any prior knowledge, that there are or have been previously, any vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground on the property or adjacent to any structure located on the property?

CES: No

12. Are there currently, or did you observe evidence, or do you have any prior knowledge, that there are or have been previously, any flooring, drains or walls located within the facility that are stained by substances other than water or are emitting a foul odor?

CES: No

13. If the property is served by a private well or non-public water system, is there evidence, or did you have prior knowledge, that contaminants have been identified in the well or system that exceed guidelines applicable to the water system or has the well been designated as contaminated by any government environmental or health agency?

CES: No

14. Does the property discharge wastewater (not including sanitary waste or storm water) onto or adjacent to the property and/or into a sanitary sewer system?

CES: No

15. Did you observe evidence, or do you have any prior knowledge, that any hazardous substances or petroleum products, unidentified waste materials, tires, automotive or industrial batteries, or any other waste materials have been dumped above grade, buried and/or burned on the property?

CES: No

16. Is there a transformer, capacitor or any hydraulic equipment for which there are records indicating the presence of Polychlorinated Biphenyls (PCBs)?

CES: No

17. Is there, or has there ever been, a septic system on the subject site?

CES: No

18. Are there currently, or did you observe evidence of, or do you have any prior knowledge that there are, or have been previously, any drywells on the subject site?

CES: No drywell was observed on the site however ADEQ drywell records show a drywell registered to the address of the site. Please note: according to the County Assessors map all of the six (6) parcels on El Mirage Road have the same address as the subject site. The drywell is most likely on one of the other parcels. Drywell records have been requested.

The preparer of the questionnaires has completed and signed the following statement:

*Those individuals who completed the environmental questionnaire acknowledge the above statements and facts are true and correct to the best of their actual knowledge. No material facts have been concealed or misstated, and the questionnaire was answered to the best of their actual knowledge.*

*The questionnaire was completed by:*

Name: Mr. Derek Longstaff Title: Environmental Professional

Firm: Certified Environmental Services, Inc.

Address: 5230 North 16<sup>th</sup> Street, Phoenix, Arizona 85016

Phone Number: (602) 230-1471 Date: May 1, 2012

Preparer's relationship to the site: Mr. Derek Longstaff performed the Phase I Environmental site assessment on the subject site.

CES has retained a copy of the original signed questionnaire in the report file.

#### **4.4 User/Clients Reason for Phase I Assessment**

The purpose for this Phase I Environmental Site Assessment it is assumed is to qualify for Limited Liability Protection (LLP) to CERCLA liability. The User is assumed to want to assess the environmental condition and identify recognized environmental conditions in connection with the property.

#### **4.5 Title Search**

The Client did not provide a title search for the subject site, nor did the Client request CES to provide a title search as part of this report.

#### **4.6 Environmental Liens or Activity and Use Limitations**

Reasonably ascertainable recorded land title records and lien records that are filed under federal, tribal, state, or local laws should be reviewed to identify environmental liens or activity and use limitations, if any, that are currently recorded against the property. Any environmental liens or activity and use limitations so identified shall be reported to the EP.

None were reported to the EP.

CES found no records during the research of governmental records that indicated the property has had any environmental liens or activity and/or use limitations.

## **5.0 RECORDS REVIEW**

The purpose of the record review is to ascertain the potential for environmental concerns on the subject site resulting from current and previous on-site and nearby land-use activities. During this portion of the Phase I ESA, numerous documents which are prepared and maintained by various federal, tribal, state and local government agencies are reviewed. The result of this investigation is discussed in the following sections:

### **FEDERAL RECORDS REVIEWED**

#### **5.1 National Priorities List (NPL)**

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), also known as the ‘Superfund’ law, provides for the clean-up and long term care of properties contaminated with hazardous substances. Through CERCLA, the Environmental Protection Agency (EPA) is empowered to investigate sites suspected of hazardous substance contamination.

When a site requiring remediation is discovered by the EPA, it is placed on the NPL according to the risk it poses to human health, its potential for contaminating drinking water, and the threat of destroying sensitive ecosystems. Properties placed on the NPL represent a significant risk to health and the environment and have been given the highest priority for clean-up under the Superfund law (CERCLA). Only those sites appearing on the NPL are eligible for federal funding for the remediation of the contamination. CES did a one (1) mile radius search for the subject site.

The subject site is not located within a one (1) mile radius of a currently designated NPL Site.

#### **Delisted NPL**

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.

There are no delisted NPL sites located within a one (1) mile radius of the subject site.

#### **5.2 Federal Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) No Further Remedial Action Planned (NFRAP)/Superfund Site/Department of Defense (DOD) Site**

CERCLIS (Comprehensive Environmental Response, Compensation and Liability Information System) list has been compiled by the EPA. It lists sites which have been investigated or are currently being investigated for potential hazardous substance and petroleum product contamination. Petroleum products are those substances that include petroleum, crude oil or any fraction thereof, which are not otherwise specifically listed or designated as hazardous substances in 42 U.S.C. Section 9601 (14).

CERCLIS NFRAP are sites where, following an initial investigation, no contamination was found, contamination was removed quickly, or the contamination was not serious enough to require federal Superfund action or NPL consideration. CES reviews the Superfund and DOD databases to identify any facility within a one-half (1/2) mile radius of the subject site.

■ **Superfund List Sites**

No facility on the subject site was listed on the Superfund list. No facility within a one-half (1/2) mile radius of the subject site was listed on the Superfund List.

■ **Department of Defense List Sites**

No facility on the subject site was listed on the DOD List. No facility within a one-half (1/2) mile radius of the subject site was listed on the DOD List.

■ **No Further Remedial Action Planned List**

CES reviews the NFRAP database to identify any facility within a one-half (1/2) mile radius of the subject site. The subject site is not listed on the NFRAP List. No site within a one-half (1/2) mile radius of the subject site is on the NFRAP List.

### 5.3 **Resource Conservation and Recovery Act (RCRA)**

■ **Federal RCRA Database**

This database is an EPA maintained listing of facilities involved in the generation, transport, treatment, storage, and/or disposal (TSD) of hazardous wastes. Hazardous waste is any waste having characteristics identified under or listed pursuant to Section 301 of the Solid Waste Disposal Act (42 USC Section 6921). RCRA defines hazardous waste as “solid waste or combination of solid wastes, which because of its quantity, concentration or physical, chemical or infectious characteristics, may: (A) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (B) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.” Each facility on this list has obtained an EPA identification number, and the facility is classified according to the type of hazardous waste involved and activity conducted. This database was reviewed for the following:

■ **RCRA TSD CORRACTS**

RCRA TSD CORRACTS sites are Generation, Transport, Treatment, Storage and Disposal (TSD) facilities subject to Corrective Action (CORRACTS) under RCRA. This CORRACTS database was reviewed to identify each TSD facility within a one (1) mile radius of the subject site.

No CORRACTS TSD facilities were identified on the subject site. No CORRACTS TSD facility was identified within a one (1) mile radius of the subject site.

■ **RCRA TSD Non-CORRACTS**

RCRA TSD Non-CORRACTS sites are TSD facilities that are not subject to corrective action, involved in the treatment, storage and disposal of their own on-site hazardous waste or other facilities' hazardous waste. This non-CORRACTS database was reviewed to identify each non-CORRACTS facility within a one-half (1/2) mile radius of the subject site.

No non-CORRACTS facility was identified on the subject site. No non-CORRACTS facility was identified within a one-half (1/2) mile radius of the subject site.

■ **RCRA Generators**

The RCRA Generator database was reviewed in order to identify any facility within a one-eighth (1/8) mile radius of the subject site or any site adjacent to the subject site actively involved in the generation or transportation of hazardous wastes.

No facility on the subject site is included on the RCRA database as a generator. One (1) facility within a one-eighth (1/8) mile radius of the subject site is listed as a generator. This is an environmental condition; however, there is no evidence that it has had a negative environmental impact nor does it rise to the level of a REC to the subject site as of the date of this report

**Haulmark Industries Inc.**

8230 North El Mirage Road, El Mirage (approximately 465 feet south)

Activity Generator: *SQG*

Notification Date: 08/13/2009

EPA Number: AZR000036541

- *SQG = Small Quantity Generator*-A facility that produces at least 100 kg per month but less than 1,000 kg per month of non-acutely hazardous waste

■ **RCRA Compliance Log**

The State of Arizona maintains a database that lists those facilities that are presently, or were in the past, under investigation for non-compliance with RCRA regulations. This database was reviewed in order to identify any facility within a one-half (1/2) mile radius of the subject site.

The review of this database identified no facility located on the subject site for non-compliance with RCRA regulation. No facility within a one-half (1/2) mile radius of the subject site is listed for non-compliance with RCRA regulations.

**5.4 Emergency Response Notification System (ERNS) List**

The Environmental Protection Agency's (EPA) ERNS is a list of reported CERCLA hazardous substance releases or spills in quantities greater than the reportable quantity, as maintained at the National Response Center. Notification requirements

for such releases or spills are codified in 40 CFR Parts 302 and 355. The database was reviewed in order to identify any facility within a one-quarter (1/4) mile radius of the subject site that has reported an incident.

According to the ERNS list, there are no reported ERNS on the subject site. No incident has been reported at a location within a one-quarter (1/4) mile radius of the subject site.

## **TRIBAL RECORDS REVIEWED**

### **5.5 Tribal Records**

There are no tribal lands within a one (1) mile radius of the subject site; therefore no tribal records were requested for review.

## **STATE OF ARIZONA RECORDS REVIEWED**

### **5.6 Water Quality Assurance Revolving Fund (WQARF) Sites**

The WQARF program is the State of Arizona's equivalent of the Federal CERCLA (Superfund) program in that WQARF provides funding to facilitate the clean up and conservation of Arizona's drinking water and water sources. Since 1981, the Arizona Department of Health Services (ADHS) and the Arizona Department of Environmental Quality (ADEQ) have surveyed the state's groundwater and public drinking water supplies to determine the location and extent of groundwater contamination and to identify conditions that have the potential to negatively impact state waters.

Under the authority of the WQARF program, ADEQ is empowered to identify actual contamination, to evaluate the extent of the contamination, identify the parties responsible, and to provide funding to expedite the remediation effort. Several sites have been given priority by ADEQ officials under this program.

ADEQ maintains records prepared by the state on WQARF sites. A site identified as a state WQARF site may, or may not, appear on the federal NPL. This WQARF database was reviewed to identify any facility within a one (1) mile radius of the subject site.

These records were reviewed and it was determined the subject site is not located within a one (1) mile radius of a currently designated WQARF area.

### **5.7 Arizona Superfund Program List (ASPL)/Declaration of Environmental Use Restriction (DEUR)/Voluntary Environmental Mitigation Use Restriction (VEMUR)**

The ADEQ's Office of Waste Programs maintains a database known as the Arizona Superfund Program List. This database consists of those sites and facilities subject to investigation under either the federal CERCLA program or the state WQARF program for known, alleged, or potential contamination of soil, surface water or groundwater. The inclusion of a site on the ASPL does not necessarily imply the location is contaminated, causing contamination, or in violation of state or federal statutes: only that the site is subject to investigation.

Declaration of Environmental Use Restriction (DEUR)/Voluntary Environmental Mitigation Use Restriction (VEMUR)/Institutional Controls (legal or administrative limitation on activities or uses) and/or Engineering Controls (physical control of the feature of concern) are restrictions placed upon the use of properties with various levels of contamination where the owner elects to leave contamination on the site that exceeds the applicable residential soil remediation standard for the site. These restrictions are placed by governmental agencies. Please note: effective May 5, 2007 the VEMUR requirement has been replaced with the DEUR requirement.

■ **Arizona Superfund Program List**

The ASPL database was reviewed to identify any facility within a one (1) mile radius of the subject site. The subject site is not included on the ASPL. No areas of investigation listed on the ASPL are located within a one (1) mile radius of the subject site.

■ **DEUR/VEMUR/Institutional Controls and/or Engineering Controls**

A DEUR is a restrictive covenant that must be recorded when an owner elects to use either an institutional control or an engineering control to prevent or minimize exposure to contaminants on the property, or when an owner elects to leave contamination on the property that exceeds the applicable residential soil remediation standard for the property. This restriction is placed on the land title by the State. Records for the subject site only were reviewed. The subject site has no recorded DEUR/VEMUR.

Engineering controls are physical modifications to a site or facility to reduce or eliminate the potential for exposure to hazardous substances or petroleum products in the soil or ground water on the property. Engineering controls are a type of activity and use limitation on the property. Records for the subject site only were reviewed. The subject site currently has no Institutional or Engineering controls.

■ **Arizona Voluntary Remediation Program (AVRP)/ADEQ Brownfield's**

The AVRP/ADEQ Brownfield's database was reviewed in order to identify any facility on the subject site or any site within a one-half (1/2) mile radius of the subject site. The subject site is not included on the AVRP/ADEQ Brownfield's database. No facility within a one-half (1/2) mile radius of the subject site is listed on the AVRP/ADEQ Brownfield's database.

## **5.8 Hazardous Materials Incidents Logbook**

The ADEQ Emergency Response Unit (ERU) maintains logbooks that document all chemical spills or threats of spill incidents that are referred to the unit. The ERU database was reviewed in order to identify any facility within a one-quarter (1/4) mile radius of the subject site that has reported an incident. It should be noted that ADEQ has not updated their Hazardous Materials Incident logbook since 2001. As of July 2007 ADEQ no longer maintains this database. The ERNS database will have information concerning Hazardous Materials Incidents.

The review of the ERU logbooks dating back to 1984 indicated no reported incidents

have occurred on the subject site. No site has had an incident involving reportable quantities of hazardous substances adjacent to or within a one-quarter ( $\frac{1}{4}$ ) mile radius of the subject site.

## 5.9 Landfills

The ADEQ Office of Waste Programs maintains directories which list Active Municipal Solid Waste Landfills (MSWLFs), Rubbish Landfills (RLFs), Solid Waste Facilities Not Open to the Public (SWFNOP), Inactive Municipal Solid Waste Landfills, and Closed Solid Waste Landfills (CSWLFs).

A review of these five (5) directories indicated there is one (1) facility located within a one-half ( $\frac{1}{2}$ ) mile radius of the subject site. Please note: these directories are not necessarily complete. Older landfills and dumping areas may not be known and, therefore, not be included in these directories. The true content of the landfills is often unknown. This is an environmental condition; however, there is no evidence that it has had a negative environmental impact nor does it rise to the level of a REC to the subject site as of the date of this report.

### **Cholla Sanitary Landfill (CMSWLF)**

33.56115, -112.321689 (03N, 01W, 36)

This site information is from ADEQ eMaps. This site is closed.

## 5.10 Underground Storage Tanks (UST)

Both state and federal law require all USTs, which contain petroleum products or other hazardous or regulated substances, to be registered with the ADEQ. ADEQ maintains a database, which lists the status, contents, capacity and construction type of each registered UST. The UST list is reviewed to identify if the subject site or an adjacent site has currently registered USTs. USTs are regulated under Title 49, Chapter 6 of the Environmental Quality Act of 1986 and updated November 21, 2006, as outlined by the Arizona Administrative Codes, Chapter 12, title 18 of Arizona Revised Statutes 49-1001-1093 and EPA 40 CFR part 280. USTs represent a significant environmental risk. Prompt attention to operational requirements, especially the leak detection and response requirements, will minimize the potential high costs associated with the remediation of contaminated soils and groundwater. Non-compliance with UST regulations can result in enforcement penalties of up to \$25,000 per day.

The UST list indicated no UST is currently registered to the subject site. No evidence of a UST was observed during the site reconnaissance. No subsurface magnetometer investigation was performed on the subject site to determine the presence of USTs and/or buried drums.

A review of the UST database indicated five (5) registered USTs have been removed from one (1) facility within one-eighth ( $\frac{1}{8}$ ) mile of the subject site. This is an environmental condition; however, there is no evidence that it has had a negative environmental impact nor does it rise to the level of a REC to the subject site as of the date of this report.

- Union Rock & Materials - El Mirage Plant/Cemex Construction Materials South, LLC, 8641 North El Mirage Road** (approximately 600-950 feet east)  
 State Facility Number: 0-005326  
 Number of Tanks: 5  
 Date Removed: Tanks 1-4                      02/01/1991  
                          Tank 5    12/15/1989

**5.11 Leaking Underground Storage Tanks (LUST)**

Owners of USTs are required to report any and all releases of tank contents and the remedial action taken to the ADEQ. This information is compiled to create the LUST database. The LUST database was reviewed in a radius of one-half (1/2) mile of the subject site.

According to the ADEQ LUST list, there are no reported LUSTs on the subject site. There are no LUST sites within a one-half (1/2) mile radius of the subject site.

**5.12 Drywells**

A drywell, as defined by the State of Arizona, is a bored, drilled or driven shaft or hole whose depth is greater than the width. Drywells are constructed solely for the disposal of storm water and its dissemination to an aquifer. The drywell typically has an upper settling chamber and lower section. The lower section is filled with pea gravel, coarse sand or large rocks. There may or may not be an injection pipe that allows water from one chamber to overflow into a lower deeper chamber or shaft. Drywells are not to be used for the disposal of hazardous materials, controlled substances, regulated substances, or household or automotive wastes. Since 1986, the State of Arizona has required the registration of all drywells with the ADEQ Plan Review and Permit Section. Drywells should be inspected on a yearly basis.

Drywells are regulated by the Aquifer Protection Program (APP), established under Title 49, Chapter 2 of the Environmental Quality Act of 1986 and revision effective January 1, 2001, as outlined by the Arizona Administrative Codes R18-9-101-403, Arizona Revised Statutes 49-331-336 and EPA 40 CFR part 144.12. All drywells are required to meet APP requirements. *An APP is required whenever a drywell is installed in areas where toxic or hazardous materials, including motor fuels, are used, handled, stored, loaded or treated, or where a spill of such materials could drain into the drywell system. Such areas may include loading docks, fuel pumps, waste and product storage areas, etc.* ADEQ recommends *against* installation of drywells in such areas. However, if installation is necessary, then a permit is required. Application for Determination of Applicability can be made to ADEQ. Any drywell that is out of compliance with these regulations as of December 31, 2003, may be subject to civil penalties of up to \$5,000 per day per incident. The Drywell database was reviewed for the subject site and all adjacent sites.

Our review of the ADEQ drywell registration database indicated one (1) drywell is registered to the same address as the subject site. Please note: all six (6) parcels along El Mirage Road have this same address. If the drywell is located on the subject site then it is a Recognized Environmental Condition (REC) for the subject

site. No drywell was observed at the time of the site reconnaissance. No drywells are registered to facilities adjacent to the subject site. The drywell records have been requested from ADEQ.

■ **MM Clayton Industrial Park, 8376 North El Mirage Road, El Mirage (Subject site)**

Number of Wells registered: 1

Well Registration numbers: 27785

### **5.13 Groundwater/Aquifer Protection Program (APP)**

The APP, established under Title 49, Chapter 2 of the Environmental Quality Act of 1986 and revision effective January 1, 2001, is the most significant of the strategies established for the management, control, remediation and regulation of sources of groundwater pollution in the State of Arizona.

Under the APP, any individual or facility responsible for the discharge, or potential discharge, of a pollutant to an aquifer, the land surface, or to the vadose zone, which has a reasonable probability of reaching groundwater, must obtain a general permit. A drywell that drains an area where regulated or hazardous substances are used, stored, loaded or treated must obtain a general permit. The permits granted to such facilities might establish limits on the quantity and chemical quality of wastes discharged and may specify the type of disposal method to be used. Regulated facilities include, but are not limited to, wastewater treatment facilities, on-site sewage disposal systems (septic systems), mines, landfills, land (soil) treatment facilities, injection wells, groundwater recharge projects using wastewater effluent, and agricultural applications of wastewater sludge. All existing facilities must be brought into compliance with the APP regulations. Facilities not in compliance December 31, 2003, can be subjected to civil penalties of up to \$5,000 per day. The State Permitted Facilities List, maintained by ADEQ, lists all facilities that have been issued a general permit. The State Permitted Facilities List was reviewed in a one-quarter (1/4) mile radius of the subject site.

A review of this document indicated no facility located on the subject site has been issued a general permit. No facility within a radius of one-quarter (1/4) mile of the subject site has been issued a general permit under the APP.

### **5.14 Toxic Chemical Release**

Many Arizona facilities are required to complete a Toxic Chemical Release Inventory (TRI) Reporting Form R to inform the public about the types and amounts of toxic chemicals used at the facility and released from the facility into the environment. The ADEQ receives, reviews, and summarizes this data, provides the data to the Arizona Emergency Response Commission and makes it available to the public through this report and through specific requests. ADEQ also reviews the data trends as a tool to measure the success of Arizona's pollution prevention regulations and to encourage pollution prevention statewide. The TRI Reporting Form R list was reviewed for facilities within a one-quarter (1/4) mile radius of the subject site.

A review of the current registration database indicated there were no toxic chemical releases located on the subject site. Two (2) facilities within a one-quarter (1/4) mile radius of the subject site have filed a TRI Form R. These are environmental conditions; however, there is no evidence that they have had a negative environmental impact nor do they rise to the level of a REC to the subject site as of the date of this report.

**Universal Trailer Corporation/Haulmark Industries Inc.**

8230 North El Mirage Road, El Mirage (approximately 465 feet south)

TRI Facility ID: 85335HLMRK823NE

Date Reported	No. of Form R's filed
2004	1
2005	1
2006	1
2007	1

**Lehigh Hanson/Hanson Pipe & Precast Inc - El Mirage**

12600 West Northern Avenue, El Mirage (approximately 1015 feet southwest)

TRI Facility ID: 85335HNSNP126WN

Date Reported	No. of Form R's filed
2007	1
2008	1
2009	1
2010	1

**5.15 Air Quality Permits**

This data is reviewed for the subject site only. These permits are issued in accordance with the Maricopa County Air Pollution (MCAP) Control Regulations, Rule 200, Section 303 and Arizona Revised Statutes, § 49-480. There were no permits issued to the subject site.

**LOCAL RECORDS REVIEW INCLUDING CITY AND COUNTY**

**5.16 Superfund Amendments and Reauthorization Act (SARA)**

SARA Title III (also known as the 'Emergency Planning' and 'Community Right-To-Know Act of 1986') is intended to increase the public's knowledge and access to information regarding the presence of hazardous chemicals in their communities and the releases of hazardous substances into the environment. This legislation assists communities to better meet their responsibilities by establishing requirements regarding emergency planning for potential chemical emergencies and 'community-right-to-know' reporting on hazardous and toxic chemicals.

Facilities are required to prepare and make available copies of Material Safety Data Sheets (MSDS) for the hazardous chemicals they produce, use or store on site. Each MSDS explains the chemical properties of a particular substance, the effects it may have on human health, and how to treat victims exposed to the substance. Under the Community Right-to-Know portion of SARA, facilities which must prepare MSDSs are also required to submit copies of the individual MSDS (or a list of these chemicals) to the local emergency planning committee, the State Emergency Response Com-

mission and the local fire department. The database review is for the subject site and facilities within a one-quarter (1/4) mile radius of the subject site.

According to historical information supplied by the Maricopa County Department of Emergency Management records through March of 2001, no business located on the subject site is a Notifier. Two (2) facilities within a one-quarter (1/4) mile radius of the subject site are historical SARA Title III Notifiers. These are environmental conditions; however, there is no evidence that they have had a negative environmental impact nor do they rise to the level of a REC to the subject site as of the date of this report.

Due to new regulations restricting access to information since September 11, 2001, the Maricopa County Department of Emergency Management will no longer provide this information. Information for current site-specific Notifiers is provided by the Arizona State Emergency Response Commission (AZSERC), a division of the State of Arizona. The information for current Notifiers was requested. On April 27, 2012, Mr. Mark Howard of the AZSERC notified CES, Inc. that no records were found in connection with the subject site.

Historic SARA Title III Notifiers

**Clayton Homes - El Mirage (West adjacent)**

12345 West Butler Drive, El Mirage

Chemicals Used: **Insulation Blown**

## **5.17 Mine and Mineral Resources**

The records of Arizona State Mines and Resources Department were reviewed for the sections in which the subject site is located and adjacent sites extending in a one-quarter (1/4) mile radius of the subject site. There is an active mining operation adjacent to the east of the subject site.

## **5.18 Fire Department Review/Hazardous Substance Permits**

A faxed request was sent to the State Fire Marshal's office. As of the date of this report, no information was received from the State Fire Marshal's Office. As the site has never been developed this is not a significant concern.

## **5.19 Aerial Photograph Review**

Aerial photographs dating back to 1949 were reviewed on the Maricopa County Flood Control District and the Maricopa County Assessors websites. The data gap for the period prior to 1949 is not considered to be significant. A brief description of each photograph reviewed follows.

### **1949**

- This aerial photograph shows the subject site as part of a large agricultural property located on the west adjacent site. The northeast portion of the west adjacent site has been improved with one (1) primary structure and possibly two (2) shed-type structures on a property that extends onto the north portion of the subject site. The remainder of the subject site appears as undeveloped land. The north adjacent site

appears to be active cropland. The east and south adjacent sites are native desert land.

**1959**

- This aerial photograph shows the south and east adjacent sites have been developed as agricultural fields.

**1969**

- This aerial photograph shows agricultural operations have ceased on the west and south adjacent sites. The northeast portion of the west adjacent site has largely been cleared with one (1) shed-type structure remaining resulting in the north portion of the subject site appearing as vacant land. The agricultural fields bounded by Butler Drive to the north, Northern Avenue to the south and El Mirage Road to the east have become fallow.

**1979**

- This aerial photograph shows all structures have been cleared from the north portion of the subject site. Mining operations are visible on the east adjacent site.

**1993**

- There are no significant changes from the previous aerial photograph.

**1996**

- There are no significant changes from the previous aerial photograph.

**2000**

- This aerial photograph shows the west adjacent site has been developed as an industrial property and improved with the current structures. The north adjacent site is vacant land.

**2006**

- This aerial photograph shows the south adjacent site in the process of development as an industrial property. The subject site has been cleared and graded.

**2011**

- In this aerial photograph the subject site and all of the adjacent sites appear as they did on the day of the site reconnaissance.

Copies of portions of the 1949, 1959, 1969, 1979, 1993, 1996, 2000, 2006, and 2011 aerial photographs have been included in Section 12.0 of this report.

A review of these aerial photographs provided no evidence the subject site was subjected to past activities which would represent an environmental threat to the property.

## 5.20 Subject Site Historical Use

In 1949, the subject site appears to have been part of a large agricultural property adjacent to the west. Structures were located on the northeast portion of the west adjacent site on a property extending onto the north portion of the subject site. The north portion of the subject site appears to have provided access to El Mirage Road and was improved with one (1) shed-type structure. The remainder of the site was undeveloped land and does not appear to have been cultivated. The site remained generally unchanged through the 1950s. By 1969, agricultural operations had ceased on the west adjacent site and several structures cleared from the site. This resulted in the subject site becoming largely fallow land. The site remained fallow until cleared and graded in 2006. The site was not improved and remains undeveloped, vacant land.

During the 1940s pesticides applied included arsenate of lead, nicotine sulfate, sulfur and sodium chlorate. Many pest control changes took place in the 1950s with the introduction of synthetic Organochlorine and Organophosphorus pesticides such as Dichloro Diphenyl Trichloroethane (DDT), toxaphene, Malathion and dieldrin. Azinphos-methyl and parathion were also very popular pesticides used in the 1950s.

During the 1960s primary insecticides used in Arizona were DDT, toxaphene azinphos-methyl, methyl parathion, parathion, endrin and endosulfan. The 1960s also experienced secondary pest outbreaks because the broad-spectrum insecticides caused non-selective destruction of beneficial predators. Methyl parathion was commonly used to fight these outbreaks. These types of chemicals leave residues which are common in current and former agricultural sites throughout Arizona.

In the review of the aerial photographs, there is evidence of structures located on or near the subject site which could have been used to mix or store such chemicals. There is no indication the residues in the soil are any different than those commonly found in former agricultural land. However, no soil testing was performed as part of this Phase I, as it is outside the scope of work.

This historic usage of the subject site indicates the probable use of agricultural chemicals such as fertilizer, pesticides and herbicides on the site. Chemical residues are possibly present in the surface and sub-surface soils on the site. According to the report Survey of Historical and Current Agricultural Pesticide Use in Arizona (Brew and Baker, 1987), pesticide applications to crops varied greatly from 1930 to the present. Historically pesticides of concern were not widely used prior to 1940.

## 5.21 Other Historical Sources

**Sanborn Fire Insurance Maps** and Geographic Information Service, Pelham, New York: The Sanborn Fire Insurance Map Series illustrates detailed historical information on the development in some of the older areas from the years 1890 through 1968. These maps typically provide historical information such as the types and uses of buildings constructed on property and the surrounding area, identifying industrial or manufacturing businesses, delineating the locations of underground storage tanks and other structures which may be of environmental concern.



## 6.0 PHYSICAL SETTING SOURCES

### 6.1 Topography

The subject site is situated within the Basin and Range Province, which is characterized by alluvial plains separated by predominantly north to northwest trending mountain ranges. The mountains consist of tilted and sometimes structurally deformed crystalline, igneous and metamorphic rocks that have been severely eroded. Deposits of gravel, cobble and boulders can be found near wash and drainage systems. The land surface elevations range from less than 800 feet above mean sea level to over 6,000 feet above mean sea level.

The United States Geologic Service (USGS) 7.5 Minute Topographical Map for the El Mirage, Arizona Quadrangle was reviewed to determine the hydro-geologic and topographic characteristics of the area in the vicinity of the subject site. This map indicates that the subject site is at an elevation of approximately 1,095 feet above mean sea level. The subject site is generally flat, and the topographic gradient trends to the southeast.

A portion of the USGS 7.5 Minute Topographical Map for the El Mirage, Arizona Quadrangle, N3330-W11215/7.5, most current photo has been included in Section 12.0 of this report.

### 6.2 Surface Water Hydrology

#### ■ Surface Water

There are no ponds, lakes, streams, rivers, washes, watercourses or canals on or adjacent to the subject site. No pooling of liquids was observed on the subject site. The Agua Fria River is located approximately one-half (½) mile east of the subject site.

#### ■ Area Drainage Pattern

The natural surface water drainage pattern is generally in a down gradient direction toward the nearest surface water body. Based upon our review of the USGS 7.5-Minute Topographical Map for the El Mirage, Arizona Quadrangle, surface drainage near the subject site is anticipated to follow the contour of the land to the southeast.

The natural drainage of the subject site has not been significantly changed. Our observation of site specific drainage indicated the majority of storm water falling on the subject site would remain on the site and be absorbed into the ground or evaporate.

#### ■ Floodplain Designation

A faxed request was sent to the Maricopa County Floodplain Management Department; it was determined that the subject site is located in Flood Zone X. This means it is located outside the delineated 100-year floodplain, an area of minimal flooding. This information was obtained using the most current Floodplain Map, Panel #1615K dated September 30, 2005.

### 6.3 Hydrology/Registered Wells (Groundwater Conditions)

The Arizona Department of Water Resources (ADWR) maintains a database of all registered wells in the State of Arizona. In a review of the ADWR Well Registry, it was determined that no hydrology wells have been registered on the subject site. No evidence of a well was observed during our reconnaissance of the site.

Based on the information recorded for the well nearest to the subject site, for which relatively current information is available, the groundwater beneath the subject site is approximately 420 feet below the ground surface (bgs). This information was recorded on July 20, 1990, for well #55-528467, located in the southeast quarter of the southwest quarter of the northeast quarter of Section 35, Township 3 North, Range 1 West, which is approximately one-quarter (1/4) mile northwest of the subject site. This well is owned by Contech Construction Products.

### 6.4 Soil Conditions

According to the United States Department of Agriculture (USDA) Natural Resources Conservation Services Soil Survey of Maricopa County, Arizona, Central Part, sheet #21, the soil in the general vicinity of the subject site consists primarily of soil of the:

#### LAVEEN SERIES

This Laveen Series consists of deep, well drained soils that have a large concentration of lime in the lower part. These soils formed in alluvium on old alluvial fans and old valley plains. The alluvium was derived from granite, granite-gneiss, schist, andesite, basalt, and limestone. Slopes are 0 to 3 percent. Elevations are 800 to 1,400 feet. In areas not cultivated, the vegetation is Creosote bush, Cactus, Mesquite and Palo Verde trees.

In a representative profile the surface layer is pale-brown and light brown loam about 15 inches thick. The underlying material to a depth of 72 inches is pink loam that contains visible accumulations of lime below a depth of about 24 inches. The soil is moderately alkaline throughout.

Permeability is moderate. Runoff is slow to medium, and the erosion hazard is slight to moderate.

**0 to 6 inches;** pale-brown loam, dark yellowish brown when moist; Massive; slightly hard when dry, friable when moist, slightly sticky and slightly plastic when wet; few fine roots; few fine interstitial pores; few mica flakes; strongly effervescent; moderately alkaline; abrupt, smooth boundary.

**6 to 15 inches;** brown light loam, dark brown when moist; massive; slightly hard when dry, friable when moist, slightly sticky and slightly plastic when wet; few fine roots, common fine tubular and few fine interstitial pores; strongly effervescent; moderately alkaline; abrupt, smooth boundary.

**15 to 24 inches;** pink loam, brown when moist; massive; slightly hard when dry; friable when moist, slightly sticky and slightly plastic when wet; few fine roots, few fine

tubular and interstitial pores; strongly effervescent; moderately alkaline; abrupt, smooth boundary.

**24 to 38 inches;** pink loam, dark brown when moist; massive; slightly hard when dry, friable when moist; slightly sticky and slightly plastic when wet; few fine roots; few fine tubular and interstitial pores; violently effervescent; common, fine and medium, irregularly shaped, pinkish-white, soft masses of lime and 5 to 10 percent common, medium, pinkish-white lime nodules, pink, when moist; more than 15 percent calcium carbonate equivalent; moderately alkaline clear, smooth boundary.

**38 to 50 inches;** pink loam, dark brown when moist; massive; slightly hard when dry, friable when moist; slightly sticky and slightly plastic when wet; few fine roots; few fine tubular and interstitial pores; violently effervescent; many medium and coarse, pinkish-white, soft masses of lime and 15 percent common, medium, and coarse pinkish-white semi-rounded lime nodules, pink, when moist; more than 15 percent calcium carbonate equivalent; moderately alkaline clear, smooth boundary.

**50 to 72 inches;** pink gravelly loam, dark brown when moist; massive; slightly hard when dry, friable when moist; sticky and plastic when wet; very few very fine roots; few fine tubular and interstitial pores; violently effervescent; many medium and coarse, pinkish-white, soft masses of lime and 20 percent common, fine, and medium pinkish-white lime nodules, pink, when moist; moderately alkaline.

**Laveen Loam, 0 to 1 percent slopes (LcA)**-This nearly level soil is on old alluvial fans and valley plains. It occurs throughout the survey area. Slopes are slightly convex and are generally less than 1%. Areas are long and narrow and about 60 acres in size.

This soil has a profile described as representative of the series. Included in mapping are small areas of Gilman loam, 0 to 1 % slopes; Mohall loam; Estrella loam; Perryville gravelly loam, 0 to 1% slopes; and Rillito loam, 0 to 1% slopes. These included soils make up about 15% of the mapping unit. Also included are a few spots of soils that are affected by saline and alkali salts.

The Laveen soil holds 8 to 11 inches of water available to plants. Parts of Phoenix and Sun City are on this soil.

## 6.5 Hydrogeology

The subject site is located in West Salt River Valley (WSRV) sub-basin, one of seven sub-basins in the ADWR-defined Phoenix Active Management Area (AMA). The WSRV is a broad, gently-sloping alluvial plain bounded on the north by the Hieroglyphic Mountains and Hedgpeth Hills, on the east by the Union Hills, Phoenix, Mountains and Papago Buttes, on the south by the South and Estrella Mountains and Buckeye Hills, and on the west by the White Tank Mountains. Depth to bedrock ranges from less than 100 feet near the basin margins to over 10,000 feet in the Luke area.

Three hydrogeologic units are recognized within the basin-fill sequence an upper sand and gravel unit, which is often 1,200 feet thick. This upper unit is highly variable, ranges from dense sand, gravel, and cobbles. There is a middle silt and clay unit. This middle silt and clay unit in many areas has deposits of heavily cemented sandy clay and clayey sand called caliche. The deepest unit is the lower conglomerate unit (Brown and Pool, 1989). The upper unit mainly consists of sand and gravel with some inter-bedded silt and clay; the unit is coarser near the Salt and Gila Rivers. The upper unit ranges in thickness from less than 100 feet near the basin margins to over 500 feet in the Luke area (Arizona Department of Water Resources, 1991b).

The middle unit consists mainly of silt and clay with some inter-bedded sand and gravel. Near the basin margins, the unit is coarser, and typically cannot be distinguished from the upper and lower units. The middle unit ranges in thickness from less than 100 feet near the basin margins to over 1,300 feet southwest of Glendale (Arizona Department of Water Resources, 1991b).

The lower unit consists mainly of coarse-grained conglomerate near the basin margins, becoming finer-grained toward the center of the basin. The unit ranges in thickness from less than 100 feet near the basin margins to over 10,000 feet southwest of Glendale (Arizona Department of Water Resources, 1991b). A large salt body, known as the Luke salt body, lies in the WSRV, southeast of the Luke Air Force Base, and occurs at a depth of 880 feet to over 6,000 feet (Eaton and other, 1972). Geohydrologic data indicate that the upper part of the salt body has a local effect on groundwater salinity.

Groundwater flow enters the WSRV as underflow from the Lake Pleasant sub-basin, the northern part of the Hassayampa sub-basin, and the Maricopa-Stanfield sub-basin. Prior to development, groundwater flowed toward and along the Salt and Gila Rivers, and into the southern part of the Hassayampa sub-basin near Arlington (Anderson, 1968). In addition, there was groundwater inflow from the ESRV between the Papago Buttes and the South Mountains. Although groundwater still flows from the WSRV into the southern part of the Hassayampa sub-basin, most of the groundwater flows toward two large cones of depression created by groundwater pumping for agricultural or municipal use. These features are located in the Luke area and in the Deer Valley area near the Hedgpeth Hills (Arizona Department of Water Resources, 1991b).

## **6.6 Source of Drinking Water**

The City of El Mirage, a public supplier, supplies the water for the area of the subject site.

The quality of the water delivered by public supplies, including those supplied by groundwater sources, is strictly monitored for a variety of contaminants. The water is proven to be within all acceptable limits of the Safe Drinking Water Standards as set forth by the ADEQ and other federal standards.

## **6.7 Septic/Sewer System**

The Aquifer Protection Program (APP) established under Title 49, Chapter 2 of the Environmental Quality Act of 1986 and revision effective January 1, 2001, is the most significant of the strategies established for the management, control, remediation and regulation of sources of groundwater pollution in the State of Arizona.

Under the APP, any individual or facility responsible for the discharge, or potential discharge, of a pollutant to an aquifer, the land surface, or to the vadose zone, which has a reasonable probability of reaching groundwater, must obtain a general permit. All active septic systems must obtain a general permit. The permits granted to such facilities might establish limits on the quantity and chemical quality of wastes discharged and may specify the type of disposal method to be used. Regulated facilities include, but are not limited to, wastewater treatment facilities, on-site sewage disposal systems (septic systems), mines, landfills, land (soil) treatment facilities, injection wells, groundwater recharge projects using wastewater effluent, and agricultural applications of waste water sludge. All existing facilities must be brought into compliance with the APP regulations. Facilities not in compliance with Arizona APP regulations after December 31, 2003, can be subjected to civil penalties of up to \$5,000 per day.

No evidence of abandoned or active septic systems was observed on the subject site. The subject site is not currently connected to the City of El Mirage sanitary sewer system, nor is it available to the area. Septic systems are not in use at the site and, based on the site history, are not likely to have been installed in the past.

## **7.0 SITE RECONNAISSANCE**

### **7.1 Methodology**

- The assessor walked the property in a systematic way to view the site and adjoining sites while performing the site reconnaissance.
- The adjoining sites were viewed from the subject site, public roadways and other public access ways and did not include entering the sites.
- Photographs were taken and included in the report to better visualize the features found on the site.

At 10:30 a.m. on May 1, 2012, Mr. Derek Longstaff, an assessor for CES, visited 12325 West Butler Drive and 8376 North El Mirage Road, El Mirage, Maricopa County, Arizona. The weather on the day of the site reconnaissance was sunny and approximately 84 degrees Fahrenheit. The purpose of this visit was to determine if the land-use activities at the site or adjoining properties have created, or have the potential to create, a recognized environmental condition for the subject site.

Access to the subject site was authorized by the owner of the subject site. The assessor was provided access to the facility during the site reconnaissance. The subject site has frontage along West Butler Drive and North El Mirage Road, which are the major streets in the area of the subject site. The site location is marked on the Neighborhood Map and Topographic Map, and color photographs of the site are included in Section 12.0/13.0 of this report.

### **7.2 Site Structures**

There are no buildings on the subject site.

### **7.3 Hydraulic Equipment /PCB Fluid Containing Equipment**

Polychlorinated Biphenyls (PCBs) were in the past used in dielectric fluids and oils in a variety of electrical equipment, such as transformers and capacitors, and in hydraulic equipment.

No below-grade hydraulic equipment with the potential to utilize PCB-containing dielectric fluids was observed on the subject site.

### **7.4 Hazardous and Regulated Materials**

No reportable quantities of hazardous or regulated materials were observed within the building on the site. Nor were any activities observed on the subject site which would generate significant quantities of hazardous wastes.

### **7.5 Material Safety Data Sheet (MSDS)**

An MSDS is a written or printed document concerning a hazardous substance, which is prepared by chemical manufacturers, importers, and employers for

hazardous chemicals following OSHA's Hazard Communication Standard, 29 CFR 1910.1200. There currently are no MSDSs for the site.

#### **7.6 Salvage Storage**

There are no salvage materials stored on the site.

#### **7.7 Drums**

There are no 55-gallon drums on the site.

#### **7.8 Property Grounds/Vegetation**

The landscaped areas located along the north and east boundaries of the site contained various types of vegetation, including trees, shrubs, etc. None of the landscaped areas appeared to contain dead or stressed vegetation, which could be attributed to the presence of contamination. Any areas of dead and stressed vegetation, which may have been observed, were most likely due to lack of water or seasonal conditions rather than an indication of contamination.

#### **7.9 Concrete/Asphalt Areas**

The subject site is devoid of asphalt or other paved surfaces.

#### **7.10 Surface Abnormalities/Depressions**

The presence of environmentally unusual and/or other suspicious surface abnormalities can be indicative of possible waste dumpsites, leach fields or other subsurface activities. No unusual mounds, depressions or surface abnormalities suggesting trash or other solid waste disposal were observed on the subject site.

#### **7.11 Rubbish/Debris**

Small amounts of paper, plastic, wood, and glass debris were observed scattered throughout the subject site. The majority of this debris probably was carried onto the site by pedestrians traversing the subject site, or has been windblown onto the subject site from adjacent properties and roadways. A small amount of this debris was asphalt product. Our cursory visual inspection of this debris revealed no evidence or other indications of the disposal of hazardous or regulated substances which would constitute a significant environmental concern.

#### **7.12 Solid Waste**

No solid waste is generated on the subject site. No dumpsters were observed on the subject site at the time of the site reconnaissance.

#### **7.13 Liquid Waste/Pits/Ponds/Lagoons**

Pits, ponds, lagoons and sumps are man-made or natural depressions in the ground surface that are likely to hold liquids or sludge containing hazardous substances or petroleum product. Other devices, such as grease traps, and in-line wastewater separators are used for the pretreatment of liquid wastes prior to their disposal. None of these features were observed on the subject site during the site reconnaissance.

#### **7.14 Surface Drainage**

Based upon site surface characteristics, it is expected that the majority of storm water falling on the subject site would remain on the site and be absorbed into the ground or evaporate.

#### **7.15 Water Retention**

There are no water retention areas on the subject site.

#### **7.16 Stained Ground Surfaces**

No areas of environmentally significant soil staining were observed on the subject site.

#### **7.17 Fill Dirt**

Fill dirt is dirt, soil, sand, or other earth that is obtained off site and used to fill holes or depressions, form mounds, or otherwise artificially change the grade or elevation of real property. One (1) small pile of fill dirt and one (1) pile of dirt containing asphalt product was observed on the site. Nothing of concern was observed in these piles.

#### **7.18 Drywells**

No drywells were observed on the subject site. A record of the installation of a drywell on the property was found during our review of ADEQ records.

#### **7.19 Other Wells**

There were no other wells observed on the site.

#### **7.20 Under/Aboveground Storage Tanks**

No underground storage tanks were observed on the subject site. Nor did our visual inspection for vent pipes, fill connections or any surface connections reveal any indication of underground storage tank installations. Further, our review of State UST lists indicated that there are no registered underground storage tanks on the subject site.

#### **7.21 Electrical Transformers**

Prior to their ban in the 1970s, Polychlorinated Biphenyls (PCBs) were used in dielectric fluids and oils in a variety of electrical equipment, such as transformers and capacitors, and in hydraulic equipment.

Electrical service for the subject site and the surrounding area is provided by Arizona Public Service (APS), a local public utility company. The site investigation identified no pole-mounted or pad-mounted electrical transformers on the subject site itself. This precludes the potential for the release of PCB-containing fluids from such devices.

#### **7.21 Underground Gas Line**

A Southwest natural gas line stake was observed on the northeast corner of the site.

At the time of our site reconnaissance, the subject site was observed to be free of petroleum product staining, unusual odors, surface depressions, unidentified pipes, containers, or other evidence suggesting the use, storage, or disposal of petroleum products, or other indications of hazardous substance contamination.

## 8.0 ADJOINING SITES

In most situations these 'off-site' observations did not include entering the site. The assessors viewed the adjacent sites from the subject site and from public roadways for evidence of chemical storage, improper waste disposal, or other indications of negative environmental conditions. Due to the migratory nature of certain environmental contaminants, the present land usage of adjoining properties was observed to determine their potential to negatively impact the subject site.

### 8.1 Adjoining Properties

A brief description of the properties immediately adjoining the subject site follows:

- **To the north** is vacant land.
- **To the south**, addressed as 8376 El Mirage Road, is Harshman Excavating.
- **To the east** is an active mining operation and batch concrete facility, CEMEX is the current operator of this facility.
- **To the west**, addressed at 12345 West Butler Avenue, is Clayton Homes, a mobile home manufacturer. The site is vacant.

There was no evidence found during our cursory inspection of the adjoining sites, that they have had a negative environmental impact on the subject site.

No high profile storage facilities, such as gasoline stations or bulk storage facilities were observed in the immediate vicinity of the subject site. No evidence that activities conducted at these adjoining properties have had a negative environmental impact on the subject site was observed during our cursory inspection of these sites.

### 8.2 Past Use of Adjoining Properties

**North Adjacent:** In 1949, this site was active farmland. By 1979, agricultural operations on the site appear to have ceased and the site had become fallow land. In 1993, the site was again active cropland on a field extending further west. The site remained active through the 1990s. By 2000, with the development of an adjacent property, the site had become vacant land. The site has remained vacant since that time.

**South Adjacent:** In 1949, this site was likely associated with agricultural operations to the west; however it had not been cultivated at this time and appeared as native desert land. By 1959, the site was active cropland. With the end of agricultural operations in 1969, the site became fallow ground. The site remained undeveloped until 2006 when it was developed as an industrial property and improved with the current structure. The site has remained generally unchanged since that time.

**East Adjacent:** In 1949, this site was largely native desert land. In 1959, the west portion of the site had become active cropland. The site remained generally unchanged through the 1960s. By 1979, mining operations had begun on the site and areas to the

north. The site has been an active mining operation since that time. The site appears to be a gravel and aggregate mine operated most recently by Rinker Materials which is now owned by CEMEX.

**West Adjacent:** In 1949, this site was part of a large agricultural property with structures on the northeast portion of the site. The site remained active through the 1950s. By 1969, agricultural operations on the site had ceased and several structures cleared from the northeast portion of the site. The site remained fallow through the 1990s and was developed as an industrial property in 1999 and improved with the current structure. The site is currently a mobile home manufacturer operated by Clayton Homes.

### 8.3 Area Reconnaissance

A vehicular reconnaissance of the area surrounding the subject site was conducted in order to determine, in very general terms, whether the current land use of these properties poses an environmental threat to the subject site. The area usage does not appear to pose/has the potential to pose an environmental threat to the subject site. The properties in the general vicinity of the subject site are commercial and industrial.

The subject site is located in a historic agricultural area. Current development of properties in the general vicinity of the subject site is a mix of industrial, commercial, and residential uses.

Whereas certain facilities within a one-half (1/2) mile radius of the site have the potential to negatively impact the environment, no evidence that these facilities have had an obvious negative environmental impact on the subject site was observed during our site investigation.

## 9.0 INTERVIEWS

### 9.1 Interview with Owner

CES was not provided any owner information except that Compass Bank owned the property. Therefore CES was not able to interview any person knowledgeable of the property. The property was purchased by Compass Bank in 2007 in a Trustee Sale. Refer to Sections 4.2 and 4.3 of this report for any information provided from the questionnaires.

### 9.2 Additional Interviews and File Reviews

#### ■ Interview/File Review with Local Government Officials

Interviews and files are requested to be reviewed for the subject site only when deemed necessary. No files were reviewed for the subject site as part of this assessment. No additional interviews except as noted in the report were done as part of this assessment.

#### ■ Interview with Others

Interviews with other relevant individuals are conducted only when deemed necessary. No other individuals were interviewed as part of this assessment.

## 10.0 REFERENCES: HISTORICAL RECORDS DOCUMENTATION AND REGULATORY RECORDS DOCUMENTATION REVIEWED

DATA FILE NAME	DATE PUBLISHED	DATE REVIEWED
USGS-7.5 Minute Topographical Map for the El Mirage Arizona Quadrangle	1957, Photo revised 1982, 2011	May 2012
ADEQ Superfund Information Internet Site	May 1, 2012	May 1, 2012
EPA National Priorities List	February 27, 2012	May 2012
EPA Delisted (Deleted) NPL Sites	February 27, 2012	May 2012
EPA-RCRA Database for Arizona	February 9, 2012	May 2012
EPA-RCRA Compliance Log for Arizona	February 16, 2012	May 2012
EPA CERCLIS Sites NFRAP List	February 27, 2012	May 2012
EPA CERCLIS Superfund including DOD sites	February 27, 2012	May 2012
EPA Responsible Parties at CERCLIS sites	February 27, 2012	May 2012
United States Coast Guard: Emergency Response Notification System (ERNS)	March 6, 2012	May 2012
Arizona Department of Water Resources-Well Data Drill Logs and Registered Water Wells	December 01, 2008 December 06, 2010	May 2012
ADEQ-Water Quality Assurance Revolving Fund (WQARF) Priority List Sites.	May 1, 2012	May 1, 2012
ADEQ-Superfund Site Information Handbook 2007	April 30, 2007	
ADEQ-Arizona CERCLA Information and Data System (ACIDS) The ZIPACIDS <i>This database is no longer maintained by ADEQ.</i>	July 5, 2000	May 2012
ADEQ- Arizona-Aquifer Protection Permit list (APP)	November 7, 2011	May 2012
ADEQ-Groundwater Protection	August 9, 2006	May 2012
ADEQ-Arizona Superfund Program List	August 25, 2004	May 2012
ADEQ-Hazardous Materials Incident Logbooks. <i>ADEQ has not updated this file since 2001 ADEQ in July 2007 indicated this information was available from the EPA ERNS database and would no longer maintain this database.</i>	November 15, 2001	May 2012
ADEQ-Directory of Arizona Active and Inactive Municipal Solid Waste Landfills (MSWLF) Rubbish Landfills (RLF) and Private Solid Waste Landfills (PSWLF)	August 1, 1999	May 2012
ADEQ-Directory of Solid Waste Facilities Not Open to the Public Arizona	December 15, 1993	May 2012
ADEQ-Directory of Arizona Closed Municipal Solid Waste Landfills	August 1, 1999	May 2012
ADEQ-List of Registered Underground Storage Tanks in Arizona	January 12, 2012	May 2012
ADEQ Above Ground Storage Tank (AST) List	March 26, 2010	May 2012

Tribal UST Files	March 21, 2012	May 2012
ADEQ-Leaking Underground Storage Tank List	January 12, 2012	May 2012
Tribal LUST Files	January 12, 2012	May 2012
ADEQ-Drywell Registration	September 22, 2011	May 2012
ADWR-Depth to Water and Altitude of Water Level Map, Arizona Department of Water Resources	February 1, 2005	May 2012
ADWR Well Data Drill Logs & Registered Water Well (well 55) DVD	December 1, 2008	May 2012
Arizona Voluntary Remediation Program/ADEQ Brownfield's Program Web Database	April 5, 2012	May 2012
ADEQ-AZUITE System DEUR/VEMUR/Institutional and/or Engineering Controls Tracking System.(web version updated daily)	September 18, 2009	May 2012
Arizona Radiation Regulatory Agency, Home Radon Survey	1992	May 2012
Arizona Toxic Chemical Release Inventory Report Summary	October 27, 2011	May 2012
Maricopa County Emergency Planning SARA report. This is a historical database only.	March 1, 2001	May 2012
Arizona Emergency Response Commission	April 27, 2012	April 27, 2012
Cross Reference Directories/ Internet/City of El Mirage Directories /Sanborn Maps	Various	May 2012
Maricopa County Assessor website, www.maricopa.gov/Assessor/GIS/map	2009-Current	May 2012
Flood Rate Insurance Map (FIRM), www.mscfema.gov	September 30, 2005	May 2012
Maricopa County Flood Control District website, www.maricopa.gov	1930-2010	May 2012

<b>REFERENCE MATERIALS</b>	<b>DATE</b>
USDA Soil Conservation Service - <i>Soil Survey of Maricopa County, Arizona, Central Part</i>	September 1977
Arizona Water Resources Assessment, Volume II Hydrologic Summary	August 1994
State of Arizona Agricultural Chemicals and Environmental Services Division-"A Survey of Historical and Current Agricultural Pesticide Use in Arizona"	December 31, 1987
City of Phoenix Architectural Services Department/City of Phoenix Public Library Arizona Room	Various
Brown and Pool	1989
Laney and Hahn	1986
ASTM E 1527-05 Standard Environmental Site Assessment: Phase I Environmental Site Assessment Process.	2005

## 11.0 INTERVIEW DOCUMENTATION

Well Data  
Water Resources Specialist  
Arizona Department of Water Resources  
(602) 417-2457

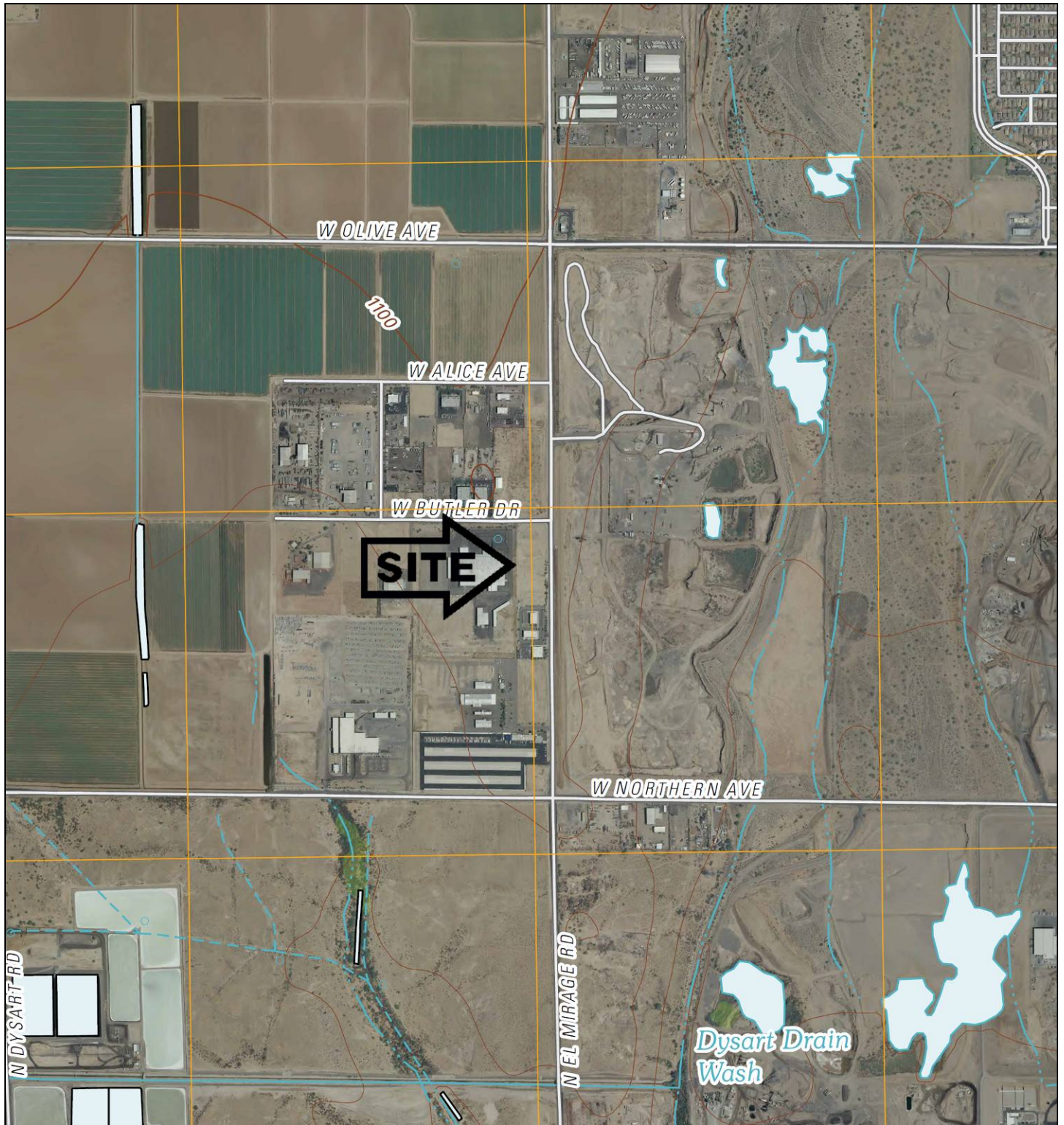
AVRP Data  
Arizona Department of Environmental Quality  
(602) 771-4156

Arizona State Fire Marshal's Office  
(602) 364-1003

Hazardous Materials Planner  
Maricopa County Department of Emergency Management  
(602) 273-1411

Mr. Mark Howard  
Executive Director  
Arizona Emergency Response Commission  
(602) 231-6345

## 12.0 MAPS, DOCUMENTS, AND PHOTOGRAPHS



## USGS 7.5 MINUTE TOPOGRAPHICAL MAP

\* Locations and size are approximate and not to scale

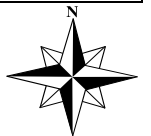


ASTM E 1527-05 Phase I Environmental Site Assessment  
5 Acres of Vacant Land, 12325 West Butler Drive and 8376 North El Mirage Road, El Mirage, Maricopa County, Arizona  
CES Project #12117N03R01W35AAA



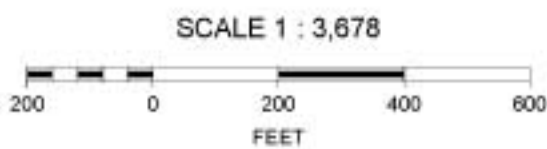
**NEIGHBORHOOD MAP**

\* Locations and size are approximate and not to scale  
Copyright © 2004-11 Wide World of Maps, Inc.  
Reproduced with Permission No. 442594



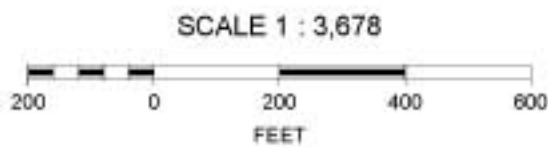
# 1949 AERIAL PHOTOGRAPH

Flood Control District of Maricopa County (FCDMC) - Unofficial Document  
FCDMC does not guarantee the positional accuracy of the parcel lines. The parcel lines  
are for illustration purposes only and are not intended to be used as a survey product.  
Aerial year: 1949



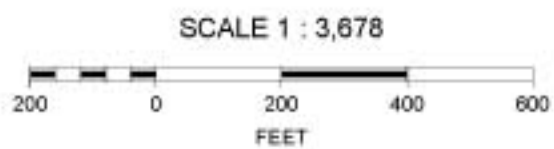
# 1959 AERIAL PHOTOGRAPH

Flood Control District of Maricopa County (FCDMC) - Unofficial Document  
FCDMC does not guarantee the positional accuracy of the parcel lines. The parcel lines  
are for illustration purposes only and are not intended to be used as a survey product.  
Aerial year: 1959

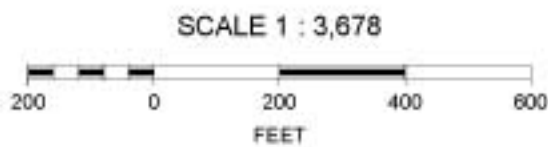


# 1969 AERIAL PHOTOGRAPH

Flood Control District of Maricopa County (FCDMC) - Unofficial Document  
FCDMC does not guarantee the positional accuracy of the parcel lines. The parcel lines  
are for illustration purposes only and are not intended to be used as a survey product.  
Aerial year: 1969

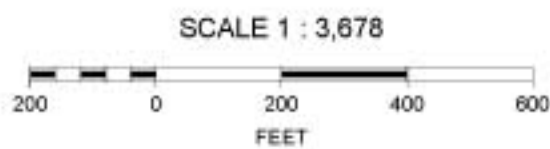


# 1979 AERIAL PHOTOGRAPH



**1992-1993 AERIAL PHOTOGRAPH**

Flood Control District of Maricopa County (FCDMC) - Unofficial Document  
FCDMC does not guarantee the positional accuracy of the parcel lines. The parcel lines  
are for illustration purposes only and are not intended to be used as a survey product.  
Aerial year: FY 92/93

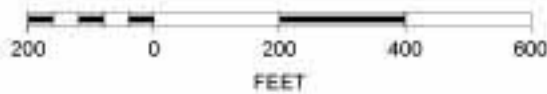


**1996-1997 AERIAL PHOTOGRAPH**

Flood Control District of Maricopa County (FCDMC) - Unofficial Document  
FCDMC does not guarantee the positional accuracy of the parcel lines. The parcel lines  
are for illustration purposes only and are not intended to be used as a survey product.  
Aerial year: FY 96/97

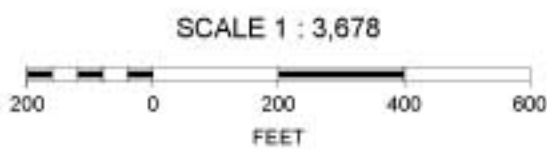


SCALE 1 : 3,678



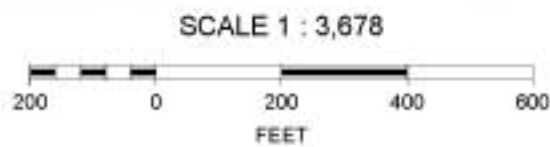
# **2000 AERIAL PHOTOGRAPH**

Flood Control District of Maricopa County (FCDMC) - Unofficial Document  
FCDMC does not guarantee the positional accuracy of the parcel lines. The parcel lines  
are for illustration purposes only and are not intended to be used as a survey product.  
Aerial year: FY 99/00



# **2006 AERIAL PHOTOGRAPH**

Flood Control District of Maricopa County (FCDMC) - Unofficial Document  
FCDMC does not guarantee the positional accuracy of the parcel lines. The parcel lines  
are for illustration purposes only and are not intended to be used as a survey product.  
Aerial year: FY 05/06 - 1foot



# **2011 AERIAL PHOTOGRAPH**

**SITE**

501-46-836

501-46-837

501-46-838

501-46-839

501-46-840

501-46-841

3600  
501-46-0093





**This view is from near the northeast corner of the site looking to the west near the north boundary along Butler.**



**This view is from near the southwest corner of the site looking to the east near the south boundary.**



**This view is from near the northeast corner of the site looking to the south along the east boundary along El Mirage Road.**



**This view is from near the northeast corner of the site looking across the site towards the southwest.**



**This view is from near the northwest corner of the site looking to the south near the west boundary.**



**This view is of a newly installed underground utilities service vault on the site.**



**This is a view of the small pile of fill dirt on the sites.**



**This is a view of the interior of the underground utility service vault.**



**This is a view of a pile of dirt with asphalt debris.**



**This is a view of water service available to the site.**



**This is a view of an underground utility service vault.**



**This view shows the Southwest gas line utility marker on the northeast corner of the site.**

## 13.0 ENVIRONMENTAL CONSULTANT QUALIFICATIONS

**Derek E. Longstaff**, Environmental Professional and Senior Consultant

### EXPERIENCE:

Derek has worked in the Environmental field for more than twenty-five (25) years, first as part of his duties at Motorola as a process Engineer and later as the founding principal for CES, Inc. Mr. Longstaff has performed thousands of Environmental Site Assessments since 1990.

### EDUCATION

Master of Technology Program-Hazardous Materials and Waste Management, ASU  
Advanced Business Administration Program Certificate, Arizona State University  
BS Chemistry, Arizona State University

### REGISTRATIONS AND CERTIFICATIONS:

Registered Environmental Assessor I (REA I) State of California #REA-07507  
Certified Indoor Air Quality Consultant  
Certified Sustainable Development Professional

### AFFILIATIONS:

Active Member of ASTM E-50 Committee: Environmental Committee  
Manufacturing Engineer  
Member of the National Association of Environmental Professionals  
Member Environmental Professional of Arizona  
Member American Indoor Air Quality Council

### Environmental Courses, Certified Completion:

- ◆ Hazardous Waste Management
- ◆ Certified in ASTM Std. 1528/1527
- ◆ OSHA/RCRA 40 Hour Hazardous Materials Handling
- ◆ Site Assessment, Phase I, II & III
- ◆ Due Diligence Environmental Inspector "DEI"
- ◆ Completion of ASTM Regulatory Environmental Compliance Audit Course
- ◆ First Aid Training

**Rodney T. Bowen**, Environmental Professional, Consultant and Marketing Specialist

### EXPERIENCE:

Rodney has been associated with CES Inc. since 1998 and is a principal in the company. Rodney has been performing Environmental Site Assessments since 1998.

### EDUCATION

BS CIS from DeVry  
Asbestos Institute

### REGISTRATIONS AND CERTIFICATIONS:

Registered Environmental Assessor I (REA I) State of California #REA 1-08175

### AFFILIATIONS:

Member Environmental Professional of Arizona  
Active Member of ASTM

Environmental Courses, Certified Completion:

- ◆ AHERA Asbestos Certified Management Planner
- ◆ AHERA Asbestos Certified Building Inspector
- ◆ Certified in ASTM Std. 1528/1527
- ◆ OSHA/RCRA 40 Hour Hazardous Materials Handling

**William Bowen**, Projects Coordinator

Assistant Environmental Technician

William Bowen has been associated with CES Inc. since 1990

Other Certifications

- ◆ First Aid Training

## 14.0 GENERAL

Certified Environmental Services has performed this Environmental Site Assessment of 12325 West Butler Drive and 8376 North El Mirage Road, El Mirage, Maricopa County, Arizona, in compliance with the scope and limitations of ASTM Standard Practice E 1527-05 which represents industry standards for a Phase I ESA regarding the degree and type of investigation which constitutes appropriate inquiry into the previous ownership and uses of the property in accordance with a reasonable understanding of the regulatory standards which existed at the time the work was performed.

The scope of this investigation was limited to observations made during site reconnaissance, interviews with the property owner or the owner's agent and a review of readily available reports and literature. As a result, our conclusions are based largely on information supplied by others. Whereas CES is not obligated to independently verify the information provided by individuals, or to identify mistakes or insufficiencies in the historic records reviewed, we have made a reasonable effort to compensate for mistakes or insufficiencies when possible. No warranty is made regarding the accuracy of any publicly documented information or the opinions of officials or any other person consulted.

No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions. The performance of this Phase I ESA according to ASTM standard practice E 1527-05 is intended to reduce, but not eliminate, the potential for recognized environmental conditions in connection with the site.

The conclusions and recommendations made are based upon conditions observed at the time of the site reconnaissance and should not be relied upon to represent conditions later. Obviously we are unable to predict events that may occur after our site visit which may have resulted in site contamination.

CES has performed our services for this project in accordance with our contract and understanding with Butler & El Mirage LLC. This report is for the exclusive use of El Mirage & Butler, LLC. The contents of the report may not be relied upon by any party other than the aforementioned Party without the express written consent of CES. Any reliance on this report by anyone other than the above mentioned Party shall be at such party's sole risk. CES is not responsible for the conclusions, opinions or recommendations made by others based on this information.

**Commonwealth Title**

**Unofficial  
20 Document**

**RECORDING REQUESTED BY  
Commonwealth Land Title Insurance Company  
AND WHEN RECORDED MAIL TO:  
BUTLER & EL MIRAGE LLC, AN ARIZONA  
LIMITED LIABILITY COMPANY  
320 W LONE CACTUS DR., STE 12  
PHOENIX, AZ 85027**

20  
SO

ESCROW NO.: 20001868 - 040 - BN1

SPACE ABOVE THIS LINE FOR RECORDER'S USE

*1 of 2*

**AGREEMENT FOR SALE**

THIS AGREEMENT entered into triplicate this 14 day of December, 2020  
between

**BUTLER & EL MIRAGE LLC, an Arizona limited liability company**

as Seller, and

**Ludwig Langenbach, a married man as his sole and separate property**

as Buyer.

**WITNESSETH:**

That Seller, in consideration of the covenants and agreements of buyer hereinafter contained, agrees to sell and convey unto Buyer, and Buyer agrees to buy, all that certain real property, together with all and singular the rights and appurtenances thereto in anywise belonging, situate in the County of **Maricopa**, State of **ARIZONA**, described as follows, to wit:

Lot 1, of M.M. CLAYTON INDUSTRIAL PARK, according to Book 1025 of Maps, page 17, records of Maricopa County, Arizona;

EXCEPT that portion conveyed to Maricopa County in Warranty Deed recorded January 14, 2014 in Recording No. 20140024143, records of Maricopa County, Arizona.

**SUBJECT TO:**

Taxes and other assessments, reservations in patents, easements, right-of-way, encumbrances, covenants, conditions, and restrictions of record.

for the sum Four Hundred Fifty Six Dollars, **\$456,000.00** lawful money of the United States and Buyer agrees in consideration of the premises to pay said sum in the following manner, to wit:

**Payments:**

Payable in regular monthly interest only payments of \$2,660.00, or more, on or before the 1<sup>st</sup> day of every month beginning January 1, 2021, with interest on all unpaid principal at the rate of 7% per annum from December     , 2020.

Provided however, the entire principal balance together with all interest accrued and late charges if any shall be all due and payable on January 1, 2026.

**Late Charge:**

Any above noted payment which is at least 10 days past due, shall be subject to a late charge of 5% of the payment then due. If said late charge is not paid with the delinquent payment, said late payment shall be accepted by the Servicing Agent and the unpaid late charge(s) shall be accumulated as a separate balance that shall not accrue interest.

**Final Payment:**

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PROVIDED HOWEVER, if not sooner paid the entire unpaid principal, accrued late penalties and all accrued interest shall be due and payable on January 1, 2026

**Prepayment Penalty:**

There shall be no pre-payment penalty

**Default Rate:**

If payment(s) is/are at least 30 days past due, then the principal balance shall bear interest at a default rate of 15% over the interest rate as stated above. Said default rate shall begin on the 31<sup>st</sup> day following the due date of the payment(s) until payment(s) is/are brought current. Payment(s) is/are first applied to accrued interest and penalties, then to principal.

**Due on Sale:**

The Agreement for Sale is immediately due and payable in the event that the Premises are sold, transferred, or conveyed in any manner.

**SELLER AND BUYER AGREE:**

All payments under this Agreement shall be made to **Commonwealth Land Title Insurance Company NCS** whose address is **2390 E. Camelback Road Phoenix, AZ 85016**, hereinafter called the Account Servicing Agent, who is authorized to receive said payments for the benefit of the Seller and to receipt therefore. The transfer of rights hereunder are to be made in such manner and accompanied by such documents and instruments as shall be required by the Account Servicing Agent, including the payment of its fees and costs. Seller and Buyer, and each of them, promise to pay promptly, and to indemnify and hold harmless the Account Servicing Agent against all costs, damages, attorneys fees, expenses and liabilities which, in good faith and without fault on its part, it may sustain in connection with this Agreement and in connection with any Court Action arising out of this Agreement. In the event Buyer fails to pay any fees and charges as herein provided, the same shall be payable by the Seller upon demand.

The Warranty Deed of Seller conveying the herein described property to Buyer, subject to the liens, encumbrances, reservations, restrictions and exceptions affecting the title to said property, has been delivered to the Account Servicing Agent and shall, as provided by the Account Servicing Agreement, be delivered to Buyer upon the fulfillment of the Buyer's obligation to the Seller hereunder. Buyer hereby acknowledges the Buyer's examination <sup>Unofficial Document</sup> of the said Warranty Deed and of the Preliminary Report for Title Insurance or that the same was examined by Buyer's Attorney and from such examination or examinations the title to said property has been found to be satisfactory.

Buyer shall pay, before they become delinquent, all installments of principal and interest, not delinquent at the date hereof, of Special Improvement Liens against said property, if any, and all taxes and assessments on said property levied subsequent to December 31, 20 , together with all assessments and other charges of any Water District or Association, if any, not delinquent at the date hereof, and all other charges for or on account of irrigation water or power used in furnishing irrigation water, after the date hereof. Buyer shall keep the property insured against fire in the amount of the reasonable insurable value thereof, but in no case less than \$ , in an Insurance Company or (Companies) authorized to do business in the State of Arizona, for the mutual benefit and protection of the parties hereto. Unless otherwise instructed in writing and accepted by the Account Servicing Agent, it shall have no duty or responsibility to attend to the payment of real estate taxes, special assessments or charges levied or assessed against the property and it shall have no duty or responsibility to see that any insurance policy is renewed upon expiration or otherwise kept in force, or to determine the reasonable insurable value of the improvements.

If Buyer fails to pay any such taxes, assessments, charges or premiums for fire insurance or fails to pay any amount due upon or fails to perform any condition or covenant of any Agreement For Sale, Deed of Trust or Mortgage required of Buyer before the same shall have become delinquent, Seller shall have the right, but not the duty, to pay or to procure the same, together with necessary costs and reasonable legal fees, and the amounts so advanced and such repayments thereof shall be secured hereby and shall be repaid to Seller by Buyer upon demand, together with interest thereon, at the rate set forth in the manner of payment, from the date advanced by Seller until repaid, and any payment so made by Seller shall be prima facie evidence of the necessity therefore. If the Account Servicing Agent is notified, in writing, by the Seller of such advances, it shall not deliver the deed to Buyer until repayment thereof, with interest, shall have been made, together with the applicable fees due to the Account Servicing Agent.

The Buyer agrees to assume all risk of damage to any improvements upon the property or of the taking of any part of the property for public use and further agrees that no such damage or taking shall constitute a failure of consideration, but in case of such damage or taking, all monies received by Seller by reason thereof shall be applied as payment on account of the purchase price of the property, less any sums of money which the Seller may be required to expend in procuring such money or, at the election of the Seller, to the rebuilding or restoration of such improvements. Buyer may enter into possession of said property

Initials   LX   \_\_\_\_\_

Initials                      \_\_\_\_\_

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and continue in such possession for and during the life of this Agreement. Buyer agrees to maintain said property and all improvements thereon in good repair, to permit no waste thereto and to take the same care thereof that a prudent owner would take.

If an action is brought to enforce this Agreement or any provision thereof, the prevailing party in such action, whether plaintiff or defendant, shall be entitled to any award for reasonable Attorneys' fees, in addition to costs of suit.

Should the Buyer breach any covenant or stipulation hereof, the Seller may pursue any available remedy at law or in equity including, but not limited to, an action for: Specific Performance; Foreclosure of this Agreement as a Mortgage (in the manner provided by law for the foreclosure of mortgages upon real property); or for Claims For Relief as set forth in Section 33-749, Arizona Revised Statutes. Should Buyer default in making any payment hereunder when due, the Seller may elect to enforce a Forfeiture of the Buyers interest in the Subject Property and in this Agreement in the manner set forth in and under the terms and provision of Sections 33-741 through 33-749, Arizona Revised Statutes (and, if applicable, in the manner set forth in the Inception Escrow Instructions for this Agreement). Further, should default be made in making any payment hereunder when due, Seller may elect to accelerate and to declare the whole sum of principal and interest immediately due and payable and proceed to Foreclose this Agreement pursuant to Section 33-748, Arizona Revised Statutes. In the event of the Completion of a Forfeiture, Buyer shall forfeit any and all rights and interests hereunder in and to the property and appurtenances, and Buyer shall surrender to Seller, forthwith, peaceable possession of the subject property, and shall forfeit to Seller as liquidated damages any and all payments made hereunder, together with any and all improvements placed on or in said property, but this provision shall not effect any other lawful right or remedy of the Seller.

Time is of the Essence of this Agreement. Whenever the context of this Agreement so requires, words used in the masculine gender include the feminine and neuter, the singular includes the plural, and the plural the singular. Every reference to Seller, Buyer and Account Serving Agent shall be deemed to constitute a reference to all successors in interests or assigns of the party to which reference is made. All parties represent that they are of legal age. This Agreement shall be binding upon the heirs, personal representatives, successors and assigns of the respective parties hereto.

Dated: November 30, 2020

**SELLER:**

**BUTLER & EL MIRAGE, L.L.C., an Arizona limited liability company**

Unofficial Document

**By: Luke Land Realty L.L.C., an Arizona limited liability company**

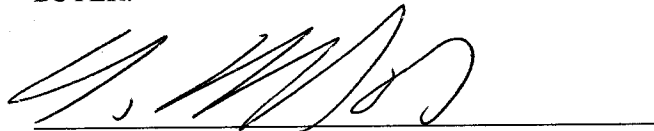
**Its: Manager**

**By: \_\_\_\_\_**  
**Its: Member**



**Name:**  
**Its:**

**BUYER:**

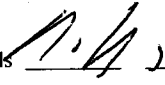


**Ludwig Langenbach**

Initials



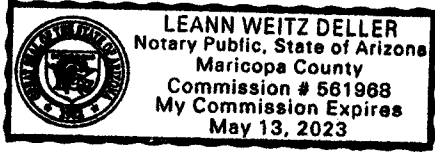
Initials



Escrow No: Error! Reference source not found.

State of Arizona  
County of Maricopa

} SS



This instrument was acknowledged before me this 10<sup>th</sup>  
day of December, 2020

by. BUTLER & EL MIRAGE LLC, an Arizona limited liability company

Leann Weitz Deller  
Notary Public

My commission will expire 5/13/23

State of Arizona  
County of Maricopa

} SS

This instrument was acknowledged before me this 11<sup>th</sup>  
day of December, 2020

by. Ludwig Langenbach

Bre R. Santos  
Notary Public

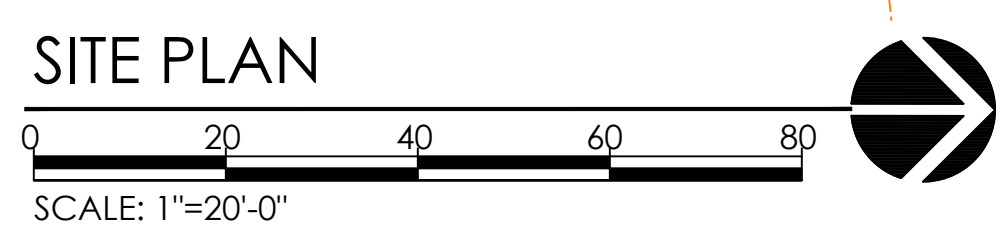
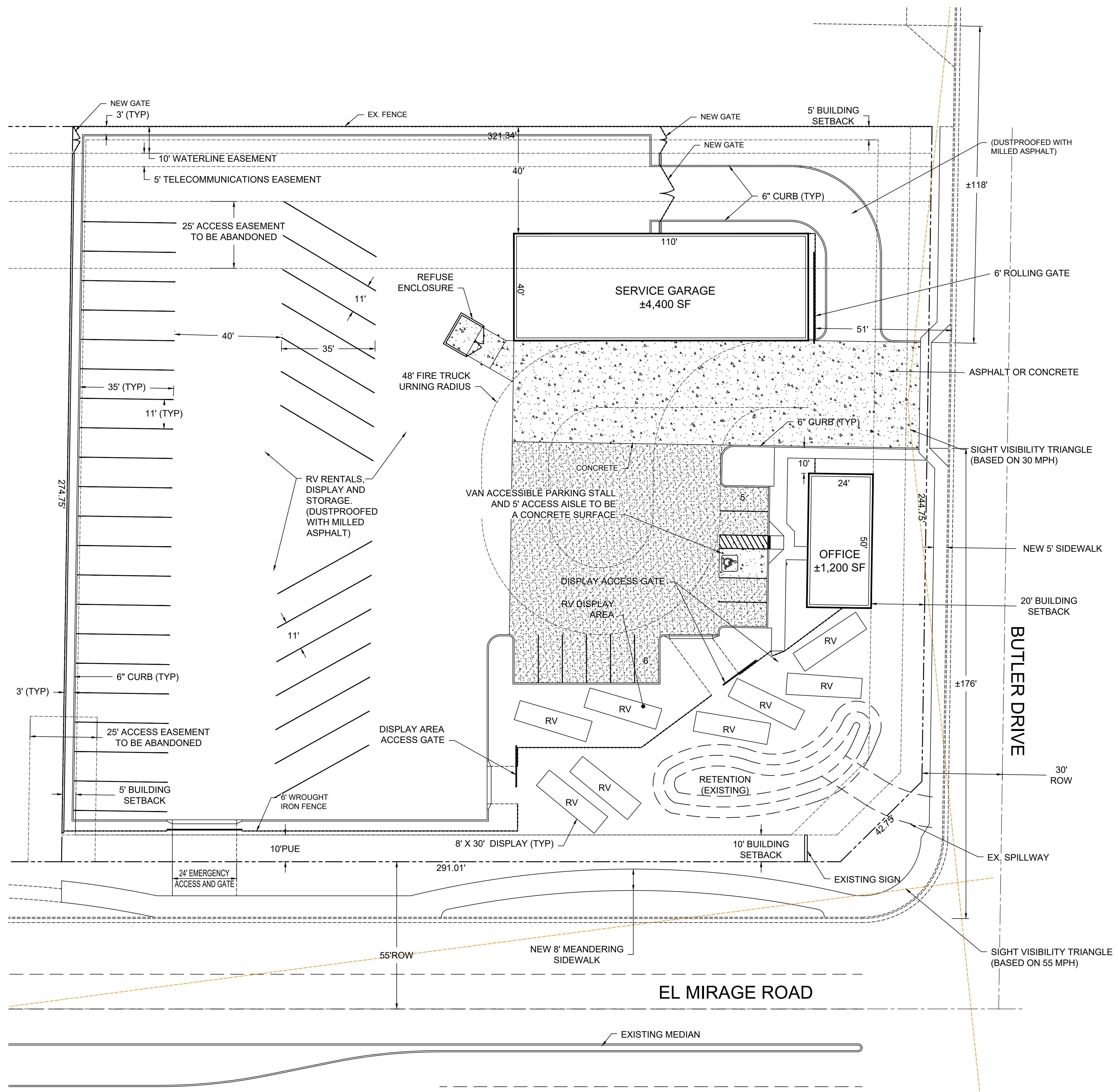
My commission will expire 11/20/2024

Unofficial Document



Initials LL

Initials LL



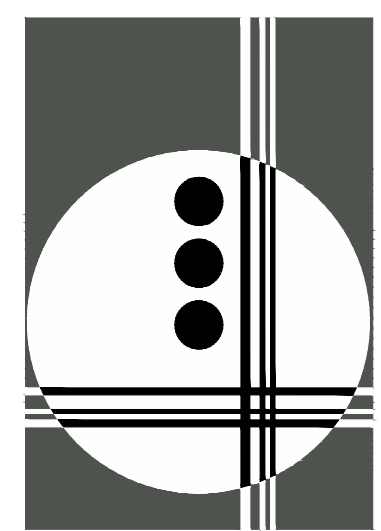
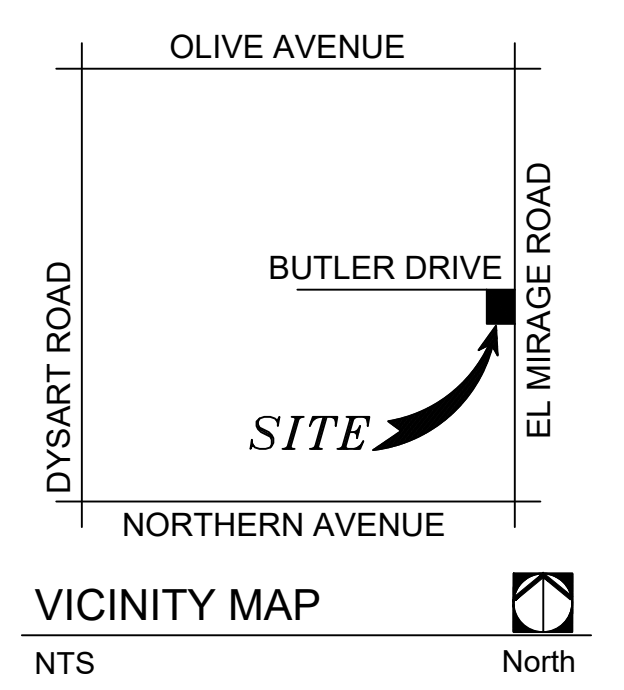
**PHOENIX MOTOR HOMES**

Development Standards	Commerce Park	Concept Plan
Building Height	30'	20'
Setbacks		
Principal Building	Min.	
El Mirage Road	10'	90'
Butler Drive	10'	10'
West Side - Rear Yard	5'	15'
South Side - Side Yard	5'	120'
Accessory Building		
Butler Drive	10'	45'
West Side - Rear Yard	5'	15'
South Side - Side Yard	5'	100'
Lot Coverage (5,600sf / 87,725sf)	90%	6.4%
Parking - Required - Employees	4	4
Parking - Provided - Employees & Guests		11

**Site Information**  
 Net Site Area: 87,725sf - 2.0 Ac  
 APN: 501-46-836A  
 Owner: Ludwig Landenbach  
 17033 W. Marshall Lane, Surprise, AZ 85388  
 Phoenix, AZ 85027  
 Existing Zoning: Commerce Park (CP)

**Proposed Use:**  
 Recreational Vehicles: Rentals, Sales, and Servicing

**CITY NOTE:**  
 "ANY CHANGE OF USE OR OCCUPANCY OF ANY BUILDING OR BUILDINGS, INCLUDING ADDITIONS THERETO REQUIRING MORE PARKING, SHALL NOT BE PERMITTED UNTIL SUCH ADDITIONAL PARKING SPACES AS REQUIRED BY THIS CHAPTER ARE FURNISHED."



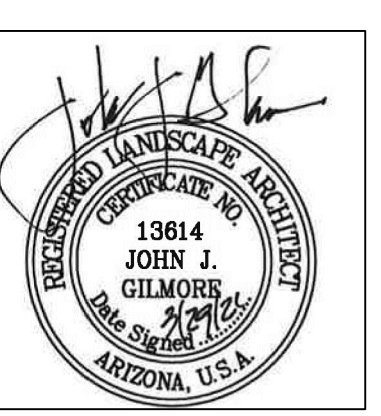
**GILMORE**  
 PLANNING & LANDSCAPE ARCHITECTURE

2211 N. 7th Street  
 Phoenix, AZ 85006  
 T 602.266.5622  
 F 602.266.5707  
 www.getgilmore.com

PLANNING  
 LANDSCAPE ARCHITECTURE

**PHOENIX MOTOR HOMES - LOT 1**  
 12301 W. BUTLER DRIVE  
 EL MIRAGE, AZ 85335  
 PREPARED FOR:

JOB NO. 20  
 DRAWN BY: TCB  
 APPROVED BY: JJC  
 DATE: 3.29.21



REVISIONS:  
 1.  
 2.  
 3.  
 4.

SITE PLAN  
 SHEET  
**SP1.0**  
 1 OF 2

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