

LEGAL DESCRIPTION
CITY OF READING PROPERTY

SITUATED IN SECTION 32, TOWN 4, ENTIRE RANGE 1 OF THE MIAMI PURCHASE,
CITY OF READING, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

BEGINNING AT SET CROSS NOTCH AT THE NORTHEAST CORNER OF LOT 236 OF
JAMES OLIVER'S SECOND ADDITION TO LOCKLAND AND READING AS RECORDED IN
PLAT BOOK 1, PAGE 257 OF THE HAMILTON COUNTY, OHIO RECORDS, BEING THE
SOUTHWEST CORNER OF THE RIGHT OF WAY OF THIRD STREET AND VORHEES
STREETS;

THENCE ALONG THE WEST RIGHT OF WAY LINE OF SAID THIRD STREET, SOUTH
26°07'07" WEST, 628.59 FEET TO A SET IRON PIN AT THE TERMINUS OF SAID THIRD
STREET;

THENCE ALONG THE SAID TERMINUS OF THIRD STREET, SOUTH 82°24'44" EAST,
52.73 FEET;

THENCE ALONG THE EAST RIGHT OF WAY LINE OF SAID THIRD STREET, NORTH
26°07'07" EAST, 209.28 FEET TO THE MOST SOUTHWEST CORNER OF LOT 244 OF
J.H. OLIVER'S 2nd ADDITION TO LOCKLAND AND READING AS RECORDED IN PLAT
BOOK 1, PAGES 256 AND 257 OF SAID COUNTY RECORDS;

THENCE ALONG THE SOUTH LINE OF SAID J.H. OLIVER'S SUBDIVISION, SOUTH
63°52'53" EAST, 280.00 FEET TO THE SOUTHEAST CORNER OF THE TERMINUS OF
FOURTH STREET;

THENCE ALONG THE EAST RIGHT OF WAY LINE OF SAID FOURTH STREET, NORTH
26°07'07" EAST, 9.86 FEET;

THENCE CONTINUING ALONG THE SOUTH LINE OF SAID J.H. OLIVER'S SUBDIVISION,
SOUTH 62°53'29" EAST, 356.63 FEET TO A POINT REFERENCED BY FOUND PIN BENT
BEING 0.05 FEET SOUTH AND .014 FEET EAST;

THENCE LEAVING SAID LINE, NORTH 81°53'29" WEST, 40.82 FEET TO FOUND PIN;

THENCE SOUTH 27°48'13" WEST, 222.64 FEET TO A SET PIN AT THE NORTHEAST
CORNER OF REGISTERED LAND CERTIFICATE NUMBER 215917;

THENCE ALONG THE EAST LINE OF SAID REGISTERED LAND CERTIFICATE NUMBER
215917, SOUTH 26°52'31" WEST, 220.38 FEET TO A SET IRON PIN AT THE
SOUTHEAST CORNER OF SAID REGISTERED LAND;

THENCE ALONG THE SOUTH LINE OF SAID REGISTERED LAND, NORTH 82°21'29"
WEST, 683.56 FEET TO A SET IRON PIN AT THE SOUTHWEST CORNER OF SAID
REGISTERED LAND;

THENCE ALONG THE WEST LINE OF SAID REGISTERED LAND, NORTH 20°03'31"
EAST, 122.33 FEET TO A SET IRON PIN AT THE NORTHEAST CORNER OF THE RIGHT
OF WAY OF ELIZABETH STREET;

PAGE 2
LEGAL DESCRIPTION
CITY OF READING PROPERTY

THENCE ALONG THE NORTH RIGHT OF WAY LINE OF SAID ELIZABETH STREET,
NORTH 82°10'02" WEST, 170.78 FEET TO A SET IRON PIN;

THENCE LEAVING SAID LINE AND ALONG THE EAST LINE OF THE PROPERTY
CONVEYED TO THE SOUTHWEST OHIO REGIONAL TRANSIT AUTHORITY AS
RECORDED IN OFFICIAL RECORD BOOK 6507, PAGE 257 OF SAID COUNTY
RECORDS, NORTH 21°24'12" EAST, 343.40 FEET TO A SET IRON PIN;

THENCE CONTINUING ALONG SAID EAST LINE, ALONG THE ARC OF A CURVE TO
THE RIGHT HAVING A RADIUS OF 5749.52 FEET FOR AN ARC DISTANCE OF 261.18
FEET, CHORD BEARING NORTH 22°42'17" EAST, 261.16 FEET TO A SET IRON PIN;

THENCE ALONG THE NORTHERN LINE OF SAID SOUTHWEST OHIO REGIONAL
TRANSIT AUTHORITY PROPERTY, NORTH 63°52'53" WEST, 1.13 FEET TO A SET IRON
PIN AT THE SOUTHEAST CORNER OF THE RIGHT OF WAY OF SECOND STREET;

THENCE ALONG THE EAST RIGHT OF WAY LINE OF SAID SECOND STREET, NORTH
26°07'07" EAST, 400.00 FEET TO A SET IRON PIN AT THE NORTHWEST CORNER OF
LOT 221 OF SAID JAMES OLIVER'S SECOND ADDITION TO LOCKLAND AND READING,
BEING THE SOUTHEAST CORNER OF THE RIGHT OF WAY OF SAID SECOND STREET
AND VOORHEES STREET;

THENCE ALONG THE SOUTH RIGHT OF WAY LINE OF SAID VOORHEES STREET,
SOUTH 63°52'53" EAST, 230.00 FEET TO THE PLACE OF BEGINNING.

CONTAINING 12.9562 ACRES OF LAND AND BEING SUBJECT TO ALL LEGAL
HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

THE REGISTERED LAND PORTION OF THE ABOVE DESCRIBED IS DESCRIBED AS
FOLLOWS.

SITUATED IN SECTION 32, TOWN 4, ENTIRE RANGE 1 OF THE MIAMI PURCHASE,
CITY OF READING, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

COMMENCING AT SET CROSS NOTCH AT THE NORTHEAST CORNER OF LOT 236 OF
JAMES OLIVER'S SECOND ADDITION TO LOCKLAND AND READING AS RECORDED IN
PLAT BOOK 1, PAGE 257 OF THE HAMILTON COUNTY, OHIO

RECORDS, BEING THE SOUTHWEST CORNER OF THE RIGHT OF WAY OF THIRD
STREET AND VOORHEES STREETS;

THENCE ALONG THE WEST RIGHT OF WAY LINE OF SAID THIRD STREET, SOUTH
26°07'07" WEST, 628.59 FEET TO A SET IRON PIN AT THE TERMINUS OF SAID THIRD
STREET;

THENCE SOUTH 26°39'58" WEST, 52.83 FEET TO A SET IRON PIN;

PAGE 3
LEGAL DESCRIPTION
CITY OF READING PROPERTY

THENCE NORTH 82°10'02" WEST, 97.97 FEET TO A SET IRON PIN;

THENCE SOUTH 21°59'58" WEST, 163.85 FEET TO A SET IRON PIN;

THENCE SOUTH 82°21'29" EAST, 51.92 FEET TO THE NORTHWEST CORNER OF REGISTERED LAND CERTIFICATE NUMBER 215917 AND THE REAL POINT OF BEGINNING;

THENCE ALONG THE NORTH LINE OF SAID REGISTERED LAND, SOUTH 82°21'29" EAST (R.L. SOUTH 87°30' EAST), 710.34 FEET TO A SET IRON PIN AT THE NORTHEAST CORNER OF REGISTERED LAND CERTIFICATE NUMBER 215917;

THENCE ALONG THE EAST LINE OF SAID REGISTERED LAND CERTIFICATE NUMBER 215917, SOUTH 26°52'31" WEST (R.L. SOUTH 21°44' WEST), 220.38 FEET TO A SET IRON PIN AT THE SOUTHEAST CORNER OF SAID REGISTERED LAND;

THENCE ALONG THE SOUTH LINE OF SAID REGISTERED LAND, NORTH 82°21'29" WEST (R.L. NORTH 87°30' WEST), 683.56 FEET (R.L. 683.53 FEET) TO A SET IRON PIN AT THE SOUTHWEST CORNER OF SAID REGISTERED LAND;

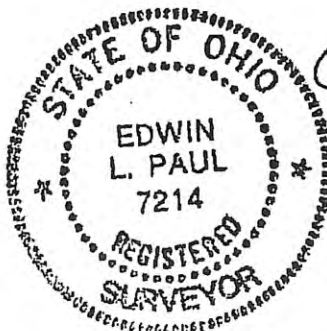
THENCE ALONG THE WEST LINE OF SAID REGISTERED LAND, NORTH 20°03'31" EAST (R.L. NORTH 14°55' EAST), 213.06 FEET TO THE PLACE OF BEGINNING;

CONTAINING 3.3292 ACRES OF LAND AND BEING SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

THE ABOVE DESCRIBED TRACT BEING PART OF THE PROPERTY CONVEYED TO THE CITY OF READING AS RECORDED IN OFFICIAL RECORD BOOK 10561, PAGE 398 AND REGISTERED LAND CERTIFICATE NUMBER 215917 OF THE HAMILTON COUNTY, OHIO RECORDS.

THIS DESCRIPTION IS BASED ON A SURVEY BY JMA CONSULTANTS, INC., DATED JUNE 13, 2008, JOB NO. 2984, UNDER THE DIRECTION OF EDWIN L. PAUL, OHIO REGISTERED SURVEYOR NUMBER 7214. THE BEARINGS ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 1983.

PREPARED BY:
JMA CONSULTANTS, INC.
JOB No. 3181
OCTOBER 21, 2010



Edwin L. Paul
10-21-2010

LEGAL DESCRIPTION

SITUATED IN SECTION 32, TOWN 4, ENTIRE RANGE 1 OF THE MIAMI PURCHASE, CITY OF READING, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 240 OF JAMES OLIVER'S SECOND ADDITION TO LOCKLAND AND READING AS RECORDED IN PLAT BOOK 1, PAGES 256 AND 257 OF THE HAMILTON COUNTY, OHIO RECORDS, BEING ON THE EAST RIGHT OF WAY OF THIRD STREET;

THENCE ALONG THE NORTHERN LINE OF SAID LOT 240 AND IT'S EASTERN EXTENSION, SOUTH 63°52'53" EAST, 230.00 FEET TO THE EASTERN LINE OF LOT 247 OF SAID SUBDIVISION;

THENCE ALONG THE SAID EASTERN LINE OF LOT 247 AND THE EASTERN LINE OF LOT 246, SOUTH 26°07'07" WEST, 150.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 246;

THENCE ALONG THE SOUTHERN LINE OF SAID OT 246, NORTH 63°52'53" WEST, 115.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 246;

THENCE ALONG THE WESTERN LINE OF SAID LOT 246, NORTH 26°07'07" EAST, 100.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 246 AND SOUTHEAST CORNER OF SAID LOT 240;

THENCE ALONG THE SOUTHERN LINE OF SAID LOT 240, NORTH 63°52'53" WEST, 115.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 240 ON THE SAID EASTERN RIGHT OF WAY LINE OF THIRD STREET;

THENCE ALONG SAID EASTERN RIGHT OF WAY LINE, NORTH 26°07'07" EAST, 50.00 FEET TO THE PLACE OF BEGINNING;

CONTAINING 0.5280 ACRES OF LAND AND BEING SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

THE ABOVE DESCRIBED TRACT BEING PART OF THE PROPERTY CONVEYED TO THE CITY OF READING AS RECORDED IN OFFICIAL RECORD BOOK 10561, PAGE 398 OF THE HAMILTON COUNTY, OHIO RECORDS.

THIS DESCRIPTION IS BASED ON A SURVEY BY JMA CONSULTANTS, INC., DATED JULY 14, 2006, JOB NO.2984, UNDER THE DIRECTION OF EDWIN L. PAUL, OHIO REGISTERED SURVEYOR NUMBER 7214. THE BEARINGS ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 1983.

PREPARED BY:
JMA CONSULTANTS, INC.
JOB No.2984
OCTOBER 28, 2010



Edwin L. Paul
10-28-2010



REMARKS ARE BASED ON THE OLD STATE PLANE COORDINATE SYSTEM. POINTS OF THE SURVEY ARE BASED ON THE OLD STATE PLANE COORDINATE SYSTEM. POINTS OF THE SURVEY ARE BASED ON THE OLD STATE PLANE COORDINATE SYSTEM. POINTS OF THE SURVEY ARE BASED ON THE OLD STATE PLANE COORDINATE SYSTEM.

PARCEL #	ACREAGE
671-9-1	2.6092 acres
671-9-2	3.5919 acres
671-9-3	3.5919 acres
671-9-4	1.5510 acres
671-9-5	1.5510 acres
671-9-6	1.5510 acres
671-9-7	1.5510 acres
671-9-8	1.5510 acres
671-9-9	1.5510 acres
671-9-10	1.5510 acres
671-9-11	1.5510 acres
671-9-12	1.5510 acres
671-9-13	1.5510 acres
671-9-14	1.5510 acres
671-9-15	1.5510 acres
671-9-16	1.5510 acres
671-9-17	1.5510 acres
671-9-18	1.5510 acres
671-9-19	1.5510 acres
671-9-20	1.5510 acres
671-9-21	1.5510 acres
671-9-22	1.5510 acres
671-9-23	1.5510 acres
671-9-24	1.5510 acres
671-9-25	1.5510 acres
671-9-26	1.5510 acres
671-9-27	1.5510 acres
671-9-28	1.5510 acres
671-9-29	1.5510 acres
671-9-30	1.5510 acres
671-9-31	1.5510 acres
671-9-32	1.5510 acres
671-9-33	1.5510 acres
671-9-34	1.5510 acres
671-9-35	1.5510 acres
671-9-36	1.5510 acres
671-9-37	1.5510 acres
671-9-38	1.5510 acres
671-9-39	1.5510 acres
671-9-40	1.5510 acres
671-9-41	1.5510 acres
671-9-42	1.5510 acres
671-9-43	1.5510 acres
671-9-44	1.5510 acres
671-9-45	1.5510 acres
671-9-46	1.5510 acres
671-9-47	1.5510 acres
671-9-48	1.5510 acres
671-9-49	1.5510 acres
671-9-50	1.5510 acres
671-9-51	1.5510 acres
671-9-52	1.5510 acres
671-9-53	1.5510 acres
671-9-54	1.5510 acres
671-9-55	1.5510 acres
671-9-56	1.5510 acres
671-9-57	1.5510 acres
671-9-58	1.5510 acres
671-9-59	1.5510 acres
671-9-60	1.5510 acres
671-9-61	1.5510 acres
671-9-62	1.5510 acres
671-9-63	1.5510 acres
671-9-64	1.5510 acres
671-9-65	1.5510 acres
671-9-66	1.5510 acres
671-9-67	1.5510 acres
671-9-68	1.5510 acres
671-9-69	1.5510 acres
671-9-70	1.5510 acres
671-9-71	1.5510 acres
671-9-72	1.5510 acres
671-9-73	1.5510 acres
671-9-74	1.5510 acres
671-9-75	1.5510 acres
671-9-76	1.5510 acres
671-9-77	1.5510 acres
671-9-78	1.5510 acres
671-9-79	1.5510 acres
671-9-80	1.5510 acres
671-9-81	1.5510 acres
671-9-82	1.5510 acres
671-9-83	1.5510 acres
671-9-84	1.5510 acres
671-9-85	1.5510 acres
671-9-86	1.5510 acres
671-9-87	1.5510 acres
671-9-88	1.5510 acres
671-9-89	1.5510 acres
671-9-90	1.5510 acres
671-9-91	1.5510 acres
671-9-92	1.5510 acres
671-9-93	1.5510 acres
671-9-94	1.5510 acres
671-9-95	1.5510 acres
671-9-96	1.5510 acres
671-9-97	1.5510 acres
671-9-98	1.5510 acres
671-9-99	1.5510 acres
671-9-100	1.5510 acres

REMARKS: THIS PLAT OF SURVEY WAS PREPARED BY THE SURVEYOR AS SHOWN HEREON. THE SURVEYOR HAS BEEN ADVISED BY THE CITY OF READING, OHIO, THAT THE CITY OF READING, OHIO, HAS A CLAIM TO THE LAND SHOWN HEREON. THE SURVEYOR HAS BEEN ADVISED BY THE CITY OF READING, OHIO, THAT THE CITY OF READING, OHIO, HAS A CLAIM TO THE LAND SHOWN HEREON.

PLAT OF SURVEY
SECTION 32, TOWN 4, ENTIRE RANGE 1
CITY OF READING
HAMILTON COUNTY, OHIO

DATE: 10-29-2010
JOB NUMBER: 3181

EDWIN L. PAUL
SURVEYOR

SCALE: 1" = 50'

EDWIN L. PAUL
SURVEYOR
DATE: 4-10-2011

STATE OF OHIO
EDWIN L. PAUL
SURVEYOR

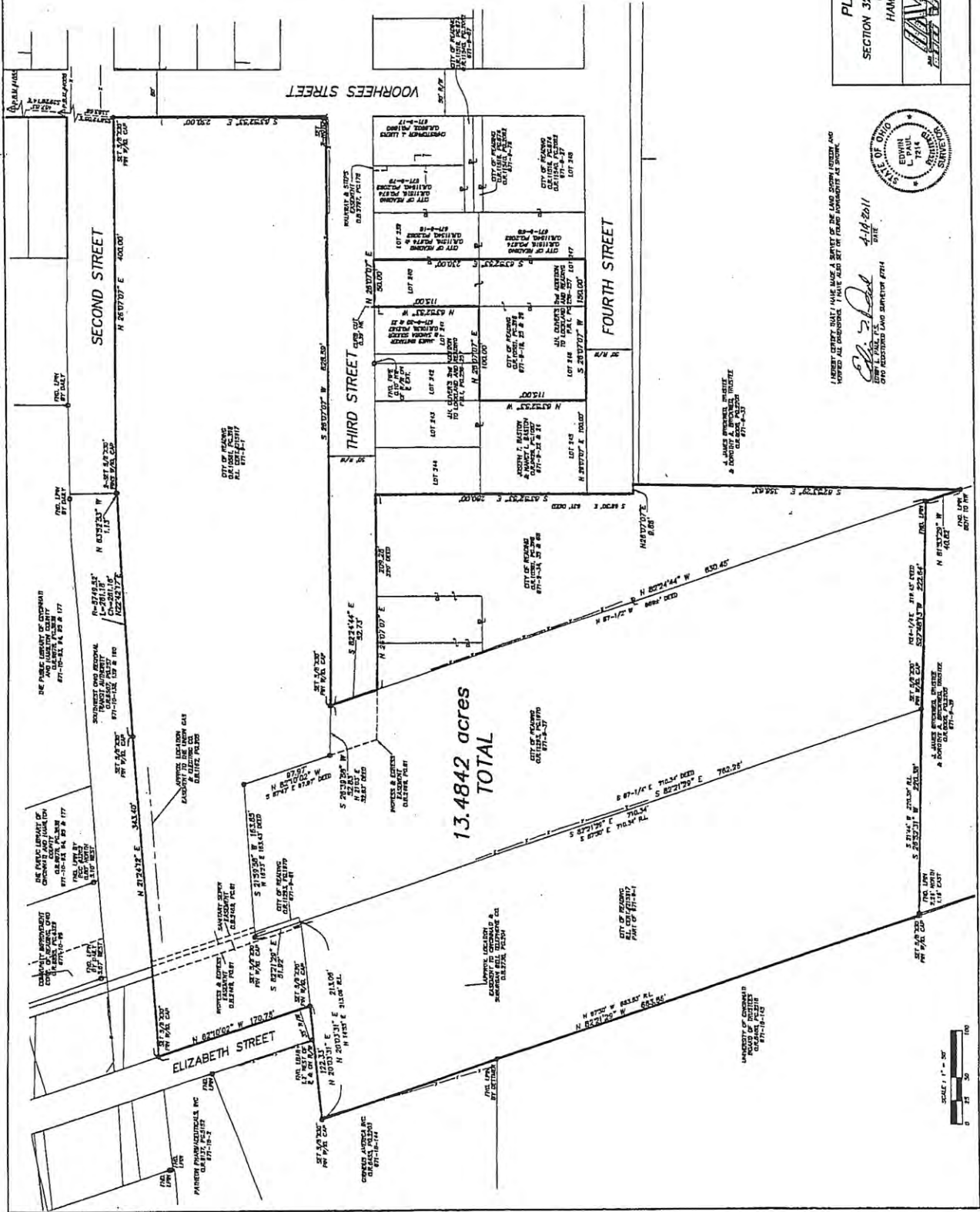


Exhibit 2
Property Location Map



Note:
Property boundaries are based upon a July 2006 ALTA
survey performed by JMA Consultants, Inc.



Quadrangle Location

Legend

- Property Location

Source: The topographic map was obtained from the TerraServer website,
<http://terraserver-usa.net>. Quadrangle name: Cincinnati East, Ohio, revised
in 1978, published in 1982, and photo revised July 01, 1988.

The aerial photo in the inset was acquired from Hamilton County. Aerial
photography dated 2002.

0 500 1,000 2,000 Feet
1:24,000



Hull

Associates, Inc.

4770 Duke Drive
Suite 300
Mason, Ohio 45040
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Phone: (513) 459-9677
Fax: (513) 459-9669
www.hullinc.com

Phase I Property Assessment Update
Reading Life Science Complex Expansion
(Former Nivison-Weiskopf Facility and Ostholthoff & Glorius Property)

Property Location Map

695 and 601 Third Street
Reading, County of Hamilton, Ohio

Date:

October 2010

Project Number: REA004
Geodatabase: REA004.mdb
File Name:
REA004_03_Fig01_PropLocMap.mxd

Figure

1

Exhibit 3
Executive Summary

SECTION B - EXECUTIVE SUMMARY OF NO FURTHER ACTION LETTER

Reading Life Sciences Complex Expansion (Former Nivison-Weiskopf Facility and Ostholthoff & Glorius Property)

Volunteer and Owner: The City of Reading, 1000 Market Street, Reading, Ohio 45215 (VAP Property address is 595 and 601 Third Street, Reading, Ohio 45215)

Issued by: Bradford S. White, Certified Professional 146, (513) 459-9677

This executive summary has been prepared to meet the requirements of Ohio Administrative Code (OAC) 3745-300-13(I) OAC 3745-300-13(K) and serves as the recording summary of the No Further Action (NFA) Letter. The NFA Letter was issued to the Volunteer on 29 October 2010. A complete copy of the NFA letter can be obtained by contacting the Ohio EPA, Department of Emergency and Remedial Response, Central Office Records Management Officer. A complete legal description of the property has been included as an attachment to the NFA Letter and Covenant Not to Sue.

Section 1.0 PROPERTY HISTORY

The VAP Property is made up of the 9.8923-acre former Nivison-Weiskopf industrial facility and the 3.5919-acre former Ostholthoff and Glorius residential parcel. The total Property size is 13.4842 acres. The Nivison-Weiskopf facility, occupying acreage west and southwest of Third Street, was used for manufacturing of packing crates and later corrugated cardboard from before 1900 until the early 1990s, at which time facility operations generally ceased and most of the buildings on the Property were used as warehouses. Acreage southeast of Third Street was never developed by Nivison-Weiskopf and is steeply sloping and wooded. Parcels totaling 0.5280 acres, located east of Third Street and not contiguous with the 12.9562 acres of land (that includes both Nivison-Weiskopf land and the former Ostholthoff and Glorius parcel) west, south and southeast of Third Street, were occupied by a residence or were vacant during Nivison-Weiskopf's period of operations. During the early- to mid-2000s, some of the buildings were leased for automobile parts distribution and automotive maintenance and repair. In 2008, facility structures were demolished by Reading as part of a project funded by the Ohio Job Ready Sites Program. The Ostholthoff and Glorius parcel was a residential property and was occupied by a house built in the 1930's and demolished in the 1980's. The entire Property is currently vacant.

Section 2.0 TIMELINE

VAP Phase I Property Assessments Completed: Industrial parcel - February 2005 [Environmental Design Group (EDG)], July 2006 [Hull & Associates, Inc. (Hull)], and Residential parcel - July 2009 (Hull).

VAP Phase II Property Assessments Completed: February 2005 (EDG), July 2006 (Hull) and October 2010 (Hull),

VAP Phase I Property Assessment Update Completed: October 2010

NFA Letter Issued: October 29, 2010

Section 3.0 NFA LETTER

Section 3.1 Phase I Property Assessments

The 13.4842-acre Property is located in Reading, Hamilton County, Ohio. Phase I Property Assessments were conducted on the Property in accordance with OAC 3745-300-006. The purpose of the Phase I Property Assessments performed in February 2005, July 2006 and July 2009 was to identify the potential for environmental impacts associated with the historical and current use of the Property, or from activities taking place on adjacent and surrounding properties. The purpose of the most recent Phase I was to update the existing Phase I reports in compliance with VAP requirements.

Through the Phase I process, the Certified Professional determined that the Property was eligible for entry into the Ohio VAP. The Phase I identified the following 17 IAs for the Property.

No.	Name of IA	Chemicals of Concern
1	Heating oil USTs	VOCs, SVOCs, TPH
2	Transformer area and tank shed	VOCs, SVOCs, TPH
3	ASTs and miscellaneous drum storage	VOCs, SVOCs
4	Former oil house, hazardous substances storage	VOCs, SVOCs, TPH, Metals, Formaldehyde
5	Outside former storage pad	VOCs, SVOCs, TPH, Metals, PCBs,
6	Damaged and intact ACM	ACM
7	Dewatering sump	VOCs, SVOCs, TPH
8	Floor drainage trench and used oil AST	VOCs, SVOCs, Metals, PCBs
9	Sewer drain line clean-out caps	VOCs, SVOCs, Metals
10	Railroad spur/siding	VOCs, SVOCs, TPH, Metals (lead and arsenic)
11	Transmission fluid ASTs	VOCs, SVOCs, TPH, Metals, PCBs
12	Used oil ASTs	VOCs, SVOCs, TPH, Metals, PCBs
13	Forklift batteries and automotive batteries	Lead
14	Floor staining near hydraulic elevator	Not Applicable
15	Stain in boiler room	Not Applicable
16	Gasoline UST	VOCs, SVOCs, TPH
17	Former septic tank	VOCs, SVOCs, TPH

VOCs – Volatile Organic Compounds; SVOCs – Semi Volatile Organic Compounds; TPH – Total Petroleum Hydrocarbons; PCBs – Polychlorinated Biphenyls; ACM – Asbestos Containing Materials

Section 3.2 Proposed Land Use

The proposed use of the Property is commercial/industrial. The current plan is to redevelop the Property as a life sciences research and development complex.

Section 3.3 Phase II Property Assessments

Initial Phase II investigations included soil and groundwater sampling/analysis and focused primarily on IAs determined as part of EDG's Phase I report. Additional Phase II assessment in the form of soil and groundwater sampling/analysis was conducted in 2005 (Hull, 2005). This assessment focused on filling in data gaps identified for the 2004-2005 work and defining the nature and extent of soil and groundwater contamination encountered during previous work. Combined, the 2004-2005 and 2006 efforts formed a basis for identifying remedial alternatives in consideration of proposed commercial/industrial land use. In 2008, demolition of Property structures was conducted and some soil remediation was also conducted. During the demolition process new IAs were revealed. Reading directed Hull to conduct additional Phase II assessment of soil and groundwater at the Property in 2009 and 2010 and soil and groundwater remediation in 2009. The Phase II efforts provided confirmation of remedial activities, addressed new IAs encountered during demolition and supplemented information at previously-defined IAs.

Soil: Auger and direct push drilling techniques were used to investigate soil conditions at the Property and to collect the Phase II soil samples. The borings determined that much of the developed portion of the Property contained a layer of fill displaying variable thickness that increased to the east and had variable composition, ranging from ballast along railroad siding on the Property's west side to re-worked clay-rich deposits. Beneath the fill (or at the ground surface where fill was absent) are glacial tills consisting predominantly of silty and sandy clays with occasional interbedded sand, silty sand, and silt. The silty and sandy clays include variable secondary percentages of sand and gravel throughout.

Soil samples collected from the IAs were analyzed for one or more of the following COCs: VOCs, SVOCs, TPH, PCBs and Metals. Detected COCs are listed on Table 3.1. Prior to demolition and remediation, benzo(a)pyrene was detected at a concentration in excess of the generic single chemical direct contact standard for a commercial/industrial worker and lead exceeded the generic single chemical direct contact standard for a construction/excavation worker.

Pathways: Direct contact with commercial/industrial workers and direct contact with construction/excavation workers.

Point of Compliance: Two feet below ground surface (bgs) for commercial/industrial workers and ten feet bgs for construction/excavation workers.

Groundwater: Monitoring wells were installed and used to investigate the nature of groundwater and to collect the Phase II groundwater samples. Monitoring wells at the Property screened saturated silt or silty sand seams within the silty and sandy clay glacial material (the upper saturated zone). The silt and sand seams were generally encountered between 8 and 18 feet bgs. Regional information indicates the presence of an intermediate sand and gravel zone at depths ranging from 90 to 100 feet bgs which is underlain by bedrock. Water levels that were measured in the monitoring wells indicate that groundwater in the saturated seams is apparently under confined or semi-confined conditions, as static water levels were measured at higher elevations than the stratigraphic position of the saturated zone.

Concentrations of COCs in the upper saturated zone exceeded unrestricted potable use standards for arsenic, benzo(a)pyrene, bis(2-ethylhexyl)phthalate, and pentachlorophenol. Furthermore, a light non-aqueous phase liquid (LNAPL) was present in one monitoring well. The arsenic and pentachlorophenol are believed to have originated from a buried railroad tie located near a post-remedial monitoring well. The bis(2-ethylhexyl)phthalate was detected early in post-remedial sampling efforts, was not detected in later samples and may have been related to laboratory conditions rather than groundwater quality at the Property. Remedial activities to remove soil overlying the location of the COC and LNAPL exceedance apparently remedied the exceedance of UPUS. Post-remedial replacement and sampling of monitoring wells in the area formerly not meeting UPUS showed that groundwater met UPUS following remedial action.

A weight of evidence demonstration was made to show that COCs in soil would not emanate to the intermediate groundwater zone.

A groundwater use restriction has been placed on the property to eliminate the use of groundwater for potable purposes due to the historical exceedance of UPUS in the shallow groundwater zone.

Pathways: Potable and non-potable use and direct contact with construction/excavation workers.

Point of Compliance: Property boundary and ten feet below ground surface for construction/excavation workers.

Surface Water and Sediments: No surface water or sediments are present on the Property.

Indoor Air: Vapor intrusion to indoor air from VOCs in soil and groundwater was assessed through the Johnson & Ettinger indoor air model. No current or future indoor air impacts were identified on the Property.

Pathways: Volatilization from soil to indoor air for commercial/industrial workers.

Point of Compliance: Indoor air.

Section 3.4 Ecological Receptors

There are no important ecological resources on or adjacent to the property.

Section 3.5 Chemicals of Concern (COCs)

The following COCs were evaluated at the Property:

VOCS by Method 8260A and 8260B;
SVOCs (BNAs and/or PNAs reported) by Method 8270C/8270 SIM;
Metals by Method 6010B/6020/7470A/7471A/7740;
PCBs by Method 8082;
TPH by Method 8015M/8015A; and
Formaldehyde by Method 8315.

Section 3.6 Property Specific Risk Assessment

A property-specific risk assessment was conducted for this Property to develop applicable standards for which a generic standard does not exist, to evaluate the risk from pathways or exposure parameters not considered in the development of generic standards (e.g. – volatilization of chemicals to indoor air). The risk goals for direct contact with soil for industrial/commercial and construction/excavation workers are not exceeded. The risk goals for volatilization of chemicals to indoor air are not exceeded.

Section 4.0 Certified Laboratory

TestAmerica, Inc. (Certified Lab # CL0018)
ALS Laboratory Group (Certified Lab #CL0022)
Pace Analytical Services (Certified Lab # CL0065).

Section 5.0 Remedial Activities

Demolition and removal of demolition debris, including abatement of ACM, was conducted in July 2008. Three areas were specifically targeted for removal and disposal of soil contaminated with COCs: 1) soil within the tank pit cavity for the three heating oil USTs in Identified Area 1; 2) unsaturated soil in the vicinity of the sump pit/cistern within the basement of Building 11B (IA-7); and 3) Petroleum-contaminated unsaturated soil next to the railroad spur (IA-10) in the vicinity of MW-7. Post-excavation confirmation sampling confirmed that soil met all applicable standards. Confirmation sampling in the vicinity of former well MW-7 showed that groundwater met UPUS following implementation of the soil remedy.

Section 6.0 Operations and Maintenance/Engineering Controls/Risk Mitigation Plans

There are no planned remedies or remedial systems that require plans or controls.

Section 7.0 Institutional Controls

An environmental covenant limiting the property to commercial or industrial land use, and a prohibition against potable groundwater use was recorded for the Property.

Section 8.0 Determination and Compliance with Applicable Standards

The current Property conditions, as confirmed through environmental sampling, meet VAP applicable standards and are protective of human health and the environment. The points of compliance are: 1) two-feet below ground surface for protecting commercial/industrial users from direct contact to COCs in soil; 2) ten-feet below ground surface for protecting construction/excavation workers from direct contact to

COCs in soil; 3) the property boundary for groundwater emanating from the property; and 4) indoor air in future buildings. No Further Action is achieved through the use of institutional controls in the form of Uniform Environmental Covenant stipulating that the Property will only be used for commercial or industrial purposes and that groundwater will not be used.

Exhibit 4
Environmental Covenant

To be recorded with Deed
Records - ORC § 317.08

ENVIRONMENTAL COVENANT

This Environmental Covenant is entered into by the City of Reading ("Owner") and the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") §§ 5301.80 to 5301.92, for the purpose of subjecting the Property described herein to the activity and use limitations set forth herein.

WHEREAS, the Property is owned by the City of Reading;

WHEREAS, the City of Reading has undertaken a voluntary action with respect to the Property described herein under Ohio's Voluntary Action Program ("VAP") pursuant to ORC Chapter 3746 and Ohio Administrative Code ("OAC") Chapter 3745-300;

WHEREAS, the voluntary action remedy for the Property includes the activity and use limitations set forth in this Environmental Covenant. Certified Professional Bradford S. White (CP No. 146) issued a No Further Action Letter ("NFA Letter") for the Property on October 26, 2010 and submitted the NFA Letter to Ohio EPA ("No. 10NFA402") with a request for a Covenant Not to Sue;

WHEREAS, the activity and use limitations support the issuance of the NFA Letter and a Covenant Not to Sue for the Property; the limitations protect against potential exposure to hazardous substances and petroleum in soil and ground water on or underlying the Property; and

WHEREAS, the NFA Letter's Executive Summary contains an overview of the voluntary action. The Executive Summary may be reviewed as an exhibit to the Covenant Not to Sue issued for the Property and is recorded in the deed records for the Property in the Hamilton County Recorder's Office. The Covenant Not to Sue, Executive Summary, and NFA Letter (No. 10NFA402) may also be reviewed by contacting: Records Management Officer, Ohio EPA, Division of Environmental Response and Revitalization, Central Office, 50 W. Town St., Columbus, OH 43215, 614-644-2924; the Ohio EPA, Southwest District Office, 401 East Fifth Street, Dayton, OH 45402, 937-285-6357; or Hull & Associates, Inc., 4770 Duke Drive, Suite 300, Mason, OH 45040, 513-459-9677.

Now therefore, Owner and Ohio EPA agree to the following:

1. Environmental Covenant. This instrument is an environmental covenant developed and executed pursuant to ORC §§ 5301.80 to 5301.92.
2. Property. This Environmental Covenant concerns an approximately 9.8923 acre tract of real property (current Parcel Nos. 671-0009-0001-00, 671-0009-0034-00, 671-0009-0035-00 and 671-0009-0068-00) located at 601 Third Street, including a 0.5280-acre parcel (current Parcel Nos. 671-0009-0019-00, 671-0009-0025-00 and 671-0009-0026-00), and a 3.5919 acre tract of real property located at 595 Third Street (current Parcel No. 671-0009-0037-00), total acreage of Property being 13.4842 acres, both owned by

the City of Reading, in Hamilton County, Ohio, and more particularly described in Exhibit A attached hereto and hereby incorporated by reference herein ("Property").

3. Owner. The Property is owned by the City of Reading, which is located at 1000 Market Street, Reading, Ohio 45215 ("Owner").
4. Holder. Pursuant to ORC § 5301.81, Owner, whose address is listed above, is the holder of this Environmental Covenant.
5. Activity and Use Limitations. As part of the voluntary action described in the NFA Letter, Owner hereby imposes and agrees to comply with the following activity and use limitations:

A. Limitation for Commercial or Industrial Land Uses

The Property is hereby limited to commercial or industrial land use only, as defined in OAC 3745-300-08(C)(2)(c)(ii) and (C)(2)(c)(iii) (effective March 1, 2009).

OAC 3745-300-08(C)(2)(c)(ii) defines commercial land use as "land use with potential exposure of adult workers during a business day and potential exposures of adults and children who are customers, patrons or visitors to commercial facilities during the business day. Commercial land use has potential exposure of adults to dermal contact with soil, inhalation of vapors and particles from soil and ingestion of soil. Examples of commercial land uses include, but are not limited to warehouses; retail establishments; professional offices; hospitals and clinics; religious institutions; hotels; motels; and parking facilities."

OAC 3745-300-08(C)(2)(c)(iii) defines industrial land use as "land use with potential exposure of adult workers during a business day and potential exposures of adults and children who are visitors to industrial facilities during the business day. Industrial land use has potential exposure of adults to dermal contact with soil, inhalation of vapors and particles from soil and ingestion of soil. Examples of industrial land uses include, but are not limited to: lumberyards; power plants; manufacturing facilities such as metalworking shops, plating shops, blast furnaces, coke plants, oil refineries, brick factories, chemical plants and plastics plants; assembly plants; non-public airport areas; limited access highways; railroad switching yards; and marine port facilities."

B. Limitation Prohibiting Groundwater Extraction and Uses

No groundwater located in, on, or underlying the Property shall be extracted for any purposes, potable or otherwise, except: (i) for the purpose of any Property groundwater investigation, groundwater monitoring program or remedial activities; or (ii) in conjunction with construction or excavation activities or maintenance of subsurface utilities.

6. Running with the Land. This Environmental Covenant shall be binding upon the Owner, during the time that the Owner owns the Property or any portion thereof, and upon all assigns and successors in interest, including any Transferee, and shall run with the land,

pursuant to ORC § 5301.85, subject to amendment or termination as set forth herein. The term "Transferee," as used in this Environmental Covenant, shall mean any future owner of any interest in the Property or any portion thereof, including, but not limited to, owners of an interest in fee simple, mortgagees, easement holders, and/or lessees.

7. Compliance Enforcement. Compliance with this Environmental Covenant may be enforced pursuant to ORC § 5301.91. Failure to timely enforce compliance with this Environmental Covenant or the activity and use limitations contained herein by any party shall not bar subsequent enforcement by such party and shall not be deemed a waiver of the party's right to take action to enforce any non-compliance. Nothing in this Environmental Covenant shall restrict the Director of Ohio EPA from exercising any authority under applicable law. Pursuant to ORC § 3746.05, if the Property or any portion thereof is put to a use that does not comply with this Environmental Covenant, the Covenant Not to Sue issued for the Property by the Director of Ohio EPA under ORC § 3746.12 is void on and after the date of the commencement of the noncompliant use.
8. Rights of Access. Owner hereby grants to Ohio EPA's authorized representatives the right of access to the Property for implementation or enforcement of this Environmental Covenant and shall require such access as a condition of any transfer of the Property or any portion thereof.
9. Compliance Reporting. Owner or Transferee, if applicable, shall, upon request by Ohio EPA, submit to Ohio EPA or the City of Reading written documentation verifying that the activity and use limitations remain in place and are being complied with.
10. Notice upon Conveyance. Each instrument hereafter conveying any interest in the Property or any portion of the Property shall contain a notice of the activity and use limitations set forth in this Environmental Covenant, and provide the recorded location of this Environmental Covenant. The notice shall be substantially in the following form:

THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL COVENANT, RECORDED IN THE DEED OR OFFICIAL RECORDS OF THE HAMILTON COUNTY RECORDER ON _____, 20__, IN [DOCUMENT ____, or BOOK ____, PAGE ____]. THE ENVIRONMENTAL COVENANT CONTAINS THE FOLLOWING ACTIVITY AND USE LIMITATIONS: COMMERCIAL OR INDUSTRIAL LAND USES AS THOSE TERMS ARE DEFINED IN OAC RULE 3745-300-08(C)(2)(c)(ii) and (iii) (EFFECTIVE MARCH 01, 2009); AND A PROHIBITION AGAINST EXTRACTION OF GROUND WATER, EXCEPT FOR THE PURPOSES OF ANY GROUNDWATER INVESTIGATION, MONITORING, OR REMEDIAL ACTIVITIES OR IN CONJUNCTION WITH CONSTRUCTION OR EXCAVATION ACTIVITIES OR MAINTENANCE OF SUBSURFACE UTILITIES.

Owner or the Transferee, if applicable, shall notify Ohio EPA within ten (10) days after each conveyance of an interest in the Property or any portion thereof. The notice shall include the name, address, and telephone number of the Transferee, a copy of the deed or other documentation evidencing the conveyance, and a survey map that shows the boundaries of the property being transferred.

11. Representations and Warranties. Owner hereby represents and warrants to the other signatories hereto:
 - A. that the Owner is the sole owner of the Property;
 - B. that the Owner holds fee simple title to the Property and that the Owner conducted a current title search that shows that the Property is not subject to any interests or encumbrances that conflict with the activity and use limitations set forth in this Environmental Covenant;
 - C. that the Owner has the power and authority to enter into this Environmental Covenant, to grant the rights and interests herein provided and to carry out all obligations hereunder;
 - D. that this Environmental Covenant will not materially violate or contravene or constitute a material default under any other agreement, document or instrument to which Owner is a party or by which Owner may be bound or affected; and
 - E. that the Owner has identified all other persons that own an interest or hold an encumbrance on the property.
12. Amendment or Termination. This Environmental Covenant may be amended or terminated by consent of all of the following: the Owner, or a Transferee if applicable; and the Director of Ohio EPA, pursuant to ORC §§ 5301.82 and 5301.90 and other applicable law. The term, "Amendment," as used in this Environmental Covenant, shall mean any changes to the Environmental Covenant, including the activity and use limitations set forth herein, or the elimination of one or more activity and use limitations when there is at least one limitation remaining. The term, Termination, as used in this Environmental Covenant, shall mean the elimination of all activity and use limitations set forth herein and all other obligations under this Environmental Covenant.

This Environmental Covenant may be amended or terminated only by a written instrument duly executed by the Director of Ohio EPA and the Owner or Transferee, if applicable, of the Property or portion thereof, as applicable. Within thirty (30) days of signature by all requisite parties on any amendment or termination of this Environmental Covenant, the Owner or Transferee, if applicable, shall file such instrument for recording with the Hamilton County Recorder's Office, and shall provide a file- and date-stamped copy of the recorded instrument to Ohio EPA.
13. Severability. If any provision of this Environmental Covenant is found to be unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired.
14. Governing Law. This Environmental Covenant shall be governed by and interpreted in accordance with the laws of the State of Ohio.
15. Recordation. Within thirty (30) days after the date of the final required signature upon this Environmental Covenant, Owner shall file this Environmental Covenant for recording, in the same manner as a deed to the Property, with the Hamilton County Recorder's Office.

16. Effective Date. The effective date of this Environmental Covenant shall be the date upon which the fully executed Environmental Covenant has been recorded as a deed record for the Property with the Hamilton County Recorder's Office.
17. Distribution of Environmental Covenant. The Owner shall distribute a file- and date-stamped copy of the recorded Environmental Covenant to: Ohio EPA and the City of Reading.
18. Notice. Unless otherwise notified in writing by or on behalf of the current owner or Ohio EPA, any document or communication required by this Environmental Covenant shall be submitted to:

As to Ohio EPA:

Division of Environmental and Revitalization Response
Ohio EPA – Central Office
50 West Town Street
Columbus, Ohio 43215
Attn: DERR Records Management Officer

Also send electronically to: records@epa.state.oh.us

And

Ohio EPA – Southwest District Office
401 East Fifth Street
Dayton, Ohio 45402
Attn: DERR Coordinator for NFA Letter No. 10NFA402


As to Owner:

Patrick Ross, Safety Service Director
City of Reading
1000 Market Street
Reading, Ohio 45215

The undersigned represents and certifies that the undersigned is authorized to execute this Environmental Covenant.

IT IS SO AGREED:

CITY OF READING



Signature of Owner

Patrick Ross, Safety Service Director

Printed Name and Title

State of Ohio)
County of Hamilton) ss:

Before me, a notary public, in and for said county and state, personally appeared Patrick Ross
a duly authorized representative of Owner, who acknowledged to me the execution of the
foregoing instrument on behalf of the Owner.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this
6th day of June, 2011.

Mary S. Warren (Elfers)
Notary Public



Mary S. Elfers
Notary Public, State of Ohio
My Commission Expires 02-28-2015

OHIO ENVIRONMENTAL PROTECTION AGENCY

[Signature]
Scott Nally, Director

State of Ohio)
County of Franklin) ss:

Before me, a notary public, in and for Franklin County, Ohio, personally appeared Scott
Nally, the Director of Ohio EPA, who acknowledged to me that he did execute the foregoing
instrument on behalf of Ohio EPA.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this 2nd
day of Aug., 2011.

Brian C. Cook
Notary Public

This instrument prepared by:

Bradford S. White, CP#146
Hull & Associates, Inc.
4770 Duke Drive, Suite 300
Mason, Ohio 45040

BRIAN C. COOK, Attorney-At-Law
NOTARY PUBLIC, STATE OF OHIO
My commission has no expiration date.
Section 147.03 R. C.

Exhibit A

Legal Descriptions and Property Map

LEGAL DESCRIPTION
CITY OF READING PROPERTY

SITUATED IN SECTION 32, TOWN 4, ENTIRE RANGE 1 OF THE MIAMI PURCHASE, CITY OF READING, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT SET CROSS NOTCH AT THE NORTHEAST CORNER OF LOT 236 OF JAMES OLIVER'S SECOND ADDITION TO LOCKLAND AND READING AS RECORDED IN PLAT BOOK 1, PAGE 257 OF THE HAMILTON COUNTY, OHIO RECORDS, BEING THE SOUTHWEST CORNER OF THE RIGHT OF WAY OF THIRD STREET AND VORHEES STREETS;

THENCE ALONG THE WEST RIGHT OF WAY LINE OF SAID THIRD STREET, SOUTH 26°07'07" WEST, 628.59 FEET TO A SET IRON PIN AT THE TERMINUS OF SAID THIRD STREET;

THENCE ALONG THE SAID TERMINUS OF THIRD STREET, SOUTH 82°24'44" EAST, 52.73 FEET;

THENCE ALONG THE EAST RIGHT OF WAY LINE OF SAID THIRD STREET, NORTH 26°07'07" EAST, 209.28 FEET TO THE MOST SOUTHWEST CORNER OF LOT 244 OF J.H. OLIVER'S 2ND ADDITION TO LOCKLAND AND READING AS RECORDED IN PLAT BOOK 1, PAGES 256 AND 257 OF SAID COUNTY RECORDS;

THENCE ALONG THE SOUTH LINE OF SAID J.H. OLIVER'S SUBDIVISION, SOUTH 63°52'53" EAST, 280.00 FEET TO THE SOUTHEAST CORNER OF THE TERMINUS OF FOURTH STREET;

THENCE ALONG THE EAST RIGHT OF WAY LINE OF SAID FOURTH STREET, NORTH 26°07'07" EAST, 9.86 FEET;

THENCE CONTINUING ALONG THE SOUTH LINE OF SAID J.H. OLIVER'S SUBDIVISION, SOUTH 62°53'29" EAST, 356.63 FEET TO A POINT REFERENCED BY FOUND PIN BENT BEING 0.05 FEET SOUTH AND .014 FEET EAST;

THENCE LEAVING SAID LINE, NORTH 81°53'29" WEST, 40.82 FEET TO FOUND PIN;

THENCE SOUTH 27°48'13" WEST, 222.64 FEET TO A SET PIN AT THE NORTHEAST CORNER OF REGISTERED LAND CERTIFICATE NUMBER 215917;

THENCE ALONG THE EAST LINE OF SAID REGISTERED LAND CERTIFICATE NUMBER 215917, SOUTH 26°52'31" WEST, 220.38 FEET TO A SET IRON PIN AT THE SOUTHEAST CORNER OF SAID REGISTERED LAND;

THENCE ALONG THE SOUTH LINE OF SAID REGISTERED LAND, NORTH 82°21'29" WEST, 683.56 FEET TO A SET IRON PIN AT THE SOUTHWEST CORNER OF SAID REGISTERED LAND;

THENCE ALONG THE WEST LINE OF SAID REGISTERED LAND, NORTH 20°03'31" EAST, 122.33 FEET TO A SET IRON PIN AT THE NORTHEAST CORNER OF THE RIGHT OF WAY OF ELIZABETH STREET;

PAGE 2
LEGAL DESCRIPTION
CITY OF READING PROPERTY

THENCE ALONG THE NORTH RIGHT OF WAY LINE OF SAID ELIZABETH STREET,
NORTH 82°10'02" WEST, 170.78 FEET TO A SET IRON PIN;

THENCE LEAVING SAID LINE AND ALONG THE EAST LINE OF THE PROPERTY
CONVEYED TO THE SOUTHWEST OHIO REGIONAL TRANSIT AUTHORITY AS
RECORDED IN OFFICIAL RECORD BOOK 6507, PAGE 257 OF SAID COUNTY
RECORDS, NORTH 21°24'12" EAST, 343.40 FEET TO A SET IRON PIN;

THENCE CONTINUING ALONG SAID EAST LINE, ALONG THE ARC OF A CURVE TO
THE RIGHT HAVING A RADIUS OF 5749.52 FEET FOR AN ARC DISTANCE OF 261.18
FEET, CHORD BEARING NORTH 22°42'17" EAST, 261.16 FEET TO A SET IRON PIN;

THENCE ALONG THE NORTHERN LINE OF SAID SOUTHWEST OHIO REGIONAL
TRANSIT AUTHORITY PROPERTY, NORTH 63°52'53" WEST, 1.13 FEET TO A SET IRON
PIN AT THE SOUTHEAST CORNER OF THE RIGHT OF WAY OF SECOND STREET;

THENCE ALONG THE EAST RIGHT OF WAY LINE OF SAID SECOND STREET, NORTH
26°07'07" EAST, 400.00 FEET TO A SET IRON PIN AT THE NORTHWEST CORNER OF
LOT 221 OF SAID JAMES OLIVER'S SECOND ADDITION TO LOCKLAND AND READING,
BEING THE SOUTHEAST CORNER OF THE RIGHT OF WAY OF SAID SECOND STREET
AND VOORHEES STREET;

THENCE ALONG THE SOUTH RIGHT OF WAY LINE OF SAID VOORHEES STREET,
SOUTH 63°52'53" EAST, 230.00 FEET TO THE PLACE OF BEGINNING.

CONTAINING 12.9562 ACRES OF LAND AND BEING SUBJECT TO ALL LEGAL
HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

THE REGISTERED LAND PORTION OF THE ABOVE DESCRIBED IS DESCRIBED AS
FOLLOWS.

SITUATED IN SECTION 32, TOWN 4, ENTIRE RANGE 1 OF THE MIAMI PURCHASE,
CITY OF READING, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

COMMENCING AT SET CROSS NOTCH AT THE NORTHEAST CORNER OF LOT 236 OF
JAMES OLIVER'S SECOND ADDITION TO LOCKLAND AND READING AS RECORDED IN
PLAT BOOK 1, PAGE 257 OF THE HAMILTON COUNTY, OHIO

RECORDS, BEING THE SOUTHWEST CORNER OF THE RIGHT OF WAY OF THIRD
STREET AND VOORHEES STREETS;

THENCE ALONG THE WEST RIGHT OF WAY LINE OF SAID THIRD STREET, SOUTH
26°07'07" WEST, 628.59 FEET TO A SET IRON PIN AT THE TERMINUS OF SAID THIRD
STREET;

THENCE SOUTH 26°39'58" WEST, 52.83 FEET TO A SET IRON PIN;

LEGAL DESCRIPTION

SITUATED IN SECTION 32, TOWN 4, ENTIRE RANGE 1 OF THE MIAMI PURCHASE, CITY OF READING, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 240 OF JAMES OLIVER'S SECOND ADDITION TO LOCKLAND AND READING AS RECORDED IN PLAT BOOK 1, PAGES 256 AND 257 OF THE HAMILTON COUNTY, OHIO RECORDS, BEING ON THE EAST RIGHT OF WAY OF THIRD STREET;

THENCE ALONG THE NORTHERN LINE OF SAID LOT 240 AND IT'S EASTERN EXTENSION, SOUTH $63^{\circ}52'53''$ EAST, 230.00 FEET TO THE EASTERN LINE OF LOT 247 OF SAID SUBDIVISION;

THENCE ALONG THE SAID EASTERN LINE OF LOT 247 AND THE EASTERN LINE OF LOT 246, SOUTH $26^{\circ}07'07''$ WEST, 150.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 246;

THENCE ALONG THE SOUTHERN LINE OF SAID LOT 246, NORTH $63^{\circ}52'53''$ WEST, 115.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 246;

THENCE ALONG THE WESTERN LINE OF SAID LOT 246, NORTH $26^{\circ}07'07''$ EAST, 100.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 246 AND SOUTHEAST CORNER OF SAID LOT 240;

THENCE ALONG THE SOUTHERN LINE OF SAID LOT 240, NORTH $63^{\circ}52'53''$ WEST, 115.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 240 ON THE SAID EASTERN RIGHT OF WAY LINE OF THIRD STREET;

THENCE ALONG SAID EASTERN RIGHT OF WAY LINE, NORTH $26^{\circ}07'07''$ EAST, 50.00 FEET TO THE PLACE OF BEGINNING;

CONTAINING 0.5280 ACRES OF LAND AND BEING SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

THE ABOVE DESCRIBED TRACT BEING PART OF THE PROPERTY CONVEYED TO THE CITY OF READING AS RECORDED IN OFFICIAL RECORD BOOK 10561, PAGE 398 OF THE HAMILTON COUNTY, OHIO RECORDS.

THIS DESCRIPTION IS BASED ON A SURVEY BY JMA CONSULTANTS, INC., DATED JULY 14, 2006, JOB NO.2984, UNDER THE DIRECTION OF EDWIN L. PAUL, OHIO REGISTERED SURVEYOR NUMBER 7214. THE BEARINGS ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 1983.

PREPARED BY:
JMA CONSULTANTS, INC.
JOB No.2984
OCTOBER 28, 2010



Edwin L. Paul
10-28-2010



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

MEMORANDUM

TO: Shelley Wilson, Executive Administrator for Real Property, Tax
Equalization Division, Dept. of Taxation

Amy Alduino, Office of Urban Development, Dept. of Development

FROM: Scott J. Nally, Director, Ohio Environmental Protection Agency (a)

DATE: AUG 10 2011

RE: Covenant Not to Sue Issued to the city of Reading for the Reading Life
Sciences Complex Expansion Property

As Director of the Ohio Environmental Protection Agency, I certify that the city of Reading has performed investigational and remedial activities at the property listed below and has been issued a Covenant Not to Sue under the authority of Ohio Revised Code ("ORC") Chapter 3746. This information is being provided in satisfaction of ORC 5709.87(B).

Property name: Reading Life Sciences Complex Expansion Property (Former Nivison-Weiskopf Facility and the Ostholtzoff & Glorius Property)

Property address: 595 and 601 Third Street, Reading, Ohio 45215

Property owner: The city of Reading

Property owner address: 1000 Market Street, Reading, Ohio, 45215

Parcel number(s): 671-0009-0001-00, 671-0009-0002-00, 671-0009-0003-00, 671-0009-0016-00, 671-0009-0015-00, 671-0010-0161-00, 671-0009-0004-00, 671-0009-0014-00, 671-0009-0038-00, 671-0010-0101-00, 671-0010-0102-00, 671-0009-0035-00, 671-0009-0068-00, 671-0009-0034-00, 671-0009-0019-00, 671-0009-0026-00 and 671-0009-0037-00.

County: Hamilton

Taxing District: 182 READING-READING CSD-00630

Date Covenant Not to Sue Issued: AUG 10 2011

Memorandum to Shelley Wilson and Amy Alduino
Tax Certification for Reading Life Sciences Complex Expansion (Former Nivison-
Weiskopf Facility and the Ostholthoff & Glorius Property)
Page 2

Attached, for your information, is a copy of the legal description of the property.

If additional information regarding the property or the voluntary action is required, I suggest you first contact Bradford S. White, the Certified Professional for the property, at (513) 459-9677. In the alternative, you may contact Nita Nordstrom with the Ohio Environmental Protection Agency at (937) 285-6054.

cc: Mr. Patrick Ross, Public Safety Service Director
City of Reading
1000 Market Street
Reading, OH 45215

Bradford S. White, Certified Professional
Hull & Associates, Inc.
4770 Duke Drive, Suite 300
Mason, OH 45040

Dusty Rhodes, Hamilton County Auditor
138 E Court St, # 304A
Cincinnati, OH 45202-1248

ec: Andrea Smoktonowicz, Legal Office, Ohio EPA
DERR-CO, VAP Files (10NFA402)
Nita Nordstrom, DERR-SWDO

LEGAL DESCRIPTION
CITY OF READING PROPERTY

SITUATED IN SECTION 32, TOWN 4, ENTIRE RANGE 1 OF THE MIAMI PURCHASE, CITY OF READING, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT SET CROSS NOTCH AT THE NORTHEAST CORNER OF LOT 236 OF JAMES OLIVER'S SECOND ADDITION TO LOCKLAND AND READING AS RECORDED IN PLAT BOOK 1, PAGE 257 OF THE HAMILTON COUNTY, OHIO RECORDS, BEING THE SOUTHWEST CORNER OF THE RIGHT OF WAY OF THIRD STREET AND VORHEES STREETS;

THENCE ALONG THE WEST RIGHT OF WAY LINE OF SAID THIRD STREET, SOUTH 26°07'07" WEST, 628.59 FEET TO A SET IRON PIN AT THE TERMINUS OF SAID THIRD STREET;

THENCE ALONG THE SAID TERMINUS OF THIRD STREET, SOUTH 82°24'44" EAST, 52.73 FEET;

THENCE ALONG THE EAST RIGHT OF WAY LINE OF SAID THIRD STREET, NORTH 26°07'07" EAST, 209.28 FEET TO THE MOST SOUTHWEST CORNER OF LOT 244 OF J.H. OLIVER'S 2nd ADDITION TO LOCKLAND AND READING AS RECORDED IN PLAT BOOK 1, PAGES 256 AND 257 OF SAID COUNTY RECORDS;

THENCE ALONG THE SOUTH LINE OF SAID J.H. OLIVER'S SUBDIVISION, SOUTH 63°52'53" EAST, 280.00 FEET TO THE SOUTHEAST CORNER OF THE TERMINUS OF FOURTH STREET;

THENCE ALONG THE EAST RIGHT OF WAY LINE OF SAID FOURTH STREET, NORTH 26°07'07" EAST, 9.86 FEET;

THENCE CONTINUING ALONG THE SOUTH LINE OF SAID J.H. OLIVER'S SUBDIVISION, SOUTH 62°53'29" EAST, 356.63 FEET TO A POINT REFERENCED BY FOUND PIN BENT BEING 0.05 FEET SOUTH AND .014 FEET EAST;

THENCE LEAVING SAID LINE, NORTH 81°53'29" WEST, 40.82 FEET TO FOUND PIN;

THENCE SOUTH 27°48'13" WEST, 222.64 FEET TO A SET PIN AT THE NORTHEAST CORNER OF REGISTERED LAND CERTIFICATE NUMBER 215917;

THENCE ALONG THE EAST LINE OF SAID REGISTERED LAND CERTIFICATE NUMBER 215917, SOUTH 26°52'31" WEST, 220.38 FEET TO A SET IRON PIN AT THE SOUTHEAST CORNER OF SAID REGISTERED LAND;

THENCE ALONG THE SOUTH LINE OF SAID REGISTERED LAND, NORTH 82°21'29" WEST, 683.56 FEET TO A SET IRON PIN AT THE SOUTHWEST CORNER OF SAID REGISTERED LAND;

THENCE ALONG THE WEST LINE OF SAID REGISTERED LAND, NORTH 20°03'31" EAST, 122.33 FEET TO A SET IRON PIN AT THE NORTHEAST CORNER OF THE RIGHT OF WAY OF ELIZABETH STREET;

PAGE 2
LEGAL DESCRIPTION
CITY OF READING PROPERTY

THENCE ALONG THE NORTH RIGHT OF WAY LINE OF SAID ELIZABETH STREET,
NORTH 82°10'02" WEST, 170.78 FEET TO A SET IRON PIN;

THENCE LEAVING SAID LINE AND ALONG THE EAST LINE OF THE PROPERTY
CONVEYED TO THE SOUTHWEST OHIO REGIONAL TRANSIT AUTHORITY AS
RECORDED IN OFFICIAL RECORD BOOK 6507, PAGE 257 OF SAID COUNTY
RECORDS, NORTH 21°24'12" EAST, 343.40 FEET TO A SET IRON PIN;

THENCE CONTINUING ALONG SAID EAST LINE, ALONG THE ARC OF A CURVE TO
THE RIGHT HAVING A RADIUS OF 5749.52 FEET FOR AN ARC DISTANCE OF 261.18
FEET, CHORD BEARING NORTH 22°42'17" EAST, 261.16 FEET TO A SET IRON PIN;

THENCE ALONG THE NORTHERN LINE OF SAID SOUTHWEST OHIO REGIONAL
TRANSIT AUTHORITY PROPERTY, NORTH 63°52'53" WEST, 1.13 FEET TO A SET IRON
PIN AT THE SOUTHEAST CORNER OF THE RIGHT OF WAY OF SECOND STREET;

THENCE ALONG THE EAST RIGHT OF WAY LINE OF SAID SECOND STREET, NORTH
26°07'07" EAST, 400.00 FEET TO A SET IRON PIN AT THE NORTHWEST CORNER OF
LOT 221 OF SAID JAMES OLIVER'S SECOND ADDITION TO LOCKLAND AND READING,
BEING THE SOUTHEAST CORNER OF THE RIGHT OF WAY OF SAID SECOND STREET
AND VOORHEES STREET;

THENCE ALONG THE SOUTH RIGHT OF WAY LINE OF SAID VOORHEES STREET,
SOUTH 63°52'53" EAST, 230.00 FEET TO THE PLACE OF BEGINNING.

CONTAINING 12.9562 ACRES OF LAND AND BEING SUBJECT TO ALL LEGAL
HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

THE REGISTERED LAND PORTION OF THE ABOVE DESCRIBED IS DESCRIBED AS
FOLLOWS.

SITUATED IN SECTION 32, TOWN 4, ENTIRE RANGE 1 OF THE MIAMI PURCHASE,
CITY OF READING, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

COMMENCING AT SET CROSS NOTCH AT THE NORTHEAST CORNER OF LOT 236 OF
JAMES OLIVER'S SECOND ADDITION TO LOCKLAND AND READING AS RECORDED IN
PLAT BOOK 1, PAGE 257 OF THE HAMILTON COUNTY, OHIO

RECORDS, BEING THE SOUTHWEST CORNER OF THE RIGHT OF WAY OF THIRD
STREET AND VOORHEES STREETS;

THENCE ALONG THE WEST RIGHT OF WAY LINE OF SAID THIRD STREET, SOUTH
26°07'07" WEST, 628.59 FEET TO A SET IRON PIN AT THE TERMINUS OF SAID THIRD
STREET;

THENCE SOUTH 26°39'58" WEST, 52.83 FEET TO A SET IRON PIN;

PAGE 3
LEGAL DESCRIPTION
CITY OF READING PROPERTY

THENCE NORTH 82°10'02" WEST, 97.97 FEET TO A SET IRON PIN;

THENCE SOUTH 21°59'58" WEST, 163.85 FEET TO A SET IRON PIN;

THENCE SOUTH 82°21'29" EAST, 51.92 FEET TO THE NORTHWEST CORNER OF REGISTERED LAND CERTIFICATE NUMBER 215917 AND THE REAL POINT OF BEGINNING;

THENCE ALONG THE NORTH LINE OF SAID REGISTERED LAND, SOUTH 82°21'29" EAST (R.L. SOUTH 87°30' EAST), 710.34 FEET TO A SET IRON PIN AT THE NORTHEAST CORNER OF REGISTERED LAND CERTIFICATE NUMBER 215917;

THENCE ALONG THE EAST LINE OF SAID REGISTERED LAND CERTIFICATE NUMBER 215917, SOUTH 26°52'31" WEST (R.L. SOUTH 21°44' WEST), 220.38 FEET TO A SET IRON PIN AT THE SOUTHEAST CORNER OF SAID REGISTERED LAND;

THENCE ALONG THE SOUTH LINE OF SAID REGISTERED LAND, NORTH 82°21'29" WEST (R.L. NORTH 87°30' WEST), 683.56 FEET (R.L. 683.53 FEET) TO A SET IRON PIN AT THE SOUTHWEST CORNER OF SAID REGISTERED LAND;

THENCE ALONG THE WEST LINE OF SAID REGISTERED LAND, NORTH 20°03'31" EAST (R.L. NORTH 14°55' EAST), 213.06 FEET TO THE PLACE OF BEGINNING;

CONTAINING 3.3292 ACRES OF LAND AND BEING SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

THE ABOVE DESCRIBED TRACT BEING PART OF THE PROPERTY CONVEYED TO THE CITY OF READING AS RECORDED IN OFFICIAL RECORD BOOK 10581, PAGE 398 AND REGISTERED LAND CERTIFICATE NUMBER 215917 OF THE HAMILTON COUNTY, OHIO RECORDS.

THIS DESCRIPTION IS BASED ON A SURVEY BY JMA CONSULTANTS, INC., DATED JUNE 13, 2008, JOB NO.2984, UNDER THE DIRECTION OF EDWIN L. PAUL, OHIO REGISTERED SURVEYOR NUMBER 7214. THE BEARINGS ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 1983.

PREPARED BY:
JMA CONSULTANTS, INC.
JOB No.3181
OCTOBER 21, 2010



Edwin L. Paul
10-21-2010

LEGAL DESCRIPTION

SITUATED IN SECTION 32, TOWN 4, ENTIRE RANGE 1 OF THE MIAMI PURCHASE, CITY OF READING, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 240 OF JAMES OLIVER'S SECOND ADDITION TO LOCKLAND AND READING AS RECORDED IN PLAT BOOK 1, PAGES 256 AND 257 OF THE HAMILTON COUNTY, OHIO RECORDS, BEING ON THE EAST RIGHT OF WAY OF THIRD STREET;

THENCE ALONG THE NORTHERN LINE OF SAID LOT 240 AND IT'S EASTERN EXTENSION, SOUTH $63^{\circ}52'53''$ EAST, 230.00 FEET TO THE EASTERN LINE OF LOT 247 OF SAID SUBDIVISION;

THENCE ALONG THE SAID EASTERN LINE OF LOT 247 AND THE EASTERN LINE OF LOT 246, SOUTH $26^{\circ}07'07''$ WEST, 150.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 246;

THENCE ALONG THE SOUTHERN LINE OF SAID OT 246, NORTH $63^{\circ}52'53''$ WEST, 115.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 246;

THENCE ALONG THE WESTERN LINE OF SAID LOT 246, NORTH $26^{\circ}07'07''$ EAST, 100.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 246 AND SOUTHEAST CORNER OF SAID LOT 240;

THENCE ALONG THE SOUTHERN LINE OF SAID LOT 240, NORTH $63^{\circ}52'53''$ WEST, 115.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 240 ON THE SAID EASTERN RIGHT OF WAY LINE OF THIRD STREET;

THENCE ALONG SAID EASTERN RIGHT OF WAY LINE, NORTH $26^{\circ}07'07''$ EAST, 50.00 FEET TO THE PLACE OF BEGINNING;

CONTAINING 0.5280 ACRES OF LAND AND BEING SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

THE ABOVE DESCRIBED TRACT BEING PART OF THE PROPERTY CONVEYED TO THE CITY OF READING AS RECORDED IN OFFICIAL RECORD BOOK 10561, PAGE 398 OF THE HAMILTON COUNTY, OHIO RECORDS.

THIS DESCRIPTION IS BASED ON A SURVEY BY JMA CONSULTANTS, INC., DATED JULY 14, 2006, JOB NO.2984, UNDER THE DIRECTION OF EDWIN L. PAUL, OHIO REGISTERED SURVEYOR NUMBER 7214. THE BEARINGS ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 1983.

PREPARED BY:
JMA CONSULTANTS, INC.
JOB No.2984
OCTOBER 28, 2010



Edwin L. Paul
10-28-2010

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

4/1/2019 1:14:59 PM

in

Case No(s). 16-0253-GA-BTX

Summary: Exhibit Exhibit R6 part 3 on behalf of City of Reading electronically filed by Mr. DAVID T STEVENSON on behalf of CITY OF READING