

**PHASE I
ENVIRONMENTAL SITE ASSESSMENT**

**TOWN OF AMHERST
INDUSTRIAL DEVELOPMENT AUTHORITY**

**MONTPELIER PROPERTY
US ROUTE 60 AND US ROUTE 29 BYPASS
AMHERST, VIRGINIA**

DAA PROJECT NO. 22097.01

Prepared for:

**Town of Amherst
Industrial Development Authority
186 South Main Street
Amherst, Virginia 24521**

Prepared by:

**Draper Aden Associates
Richmond, Virginia**

November, 1998

**PHASE I
ENVIRONMENTAL SITE ASSESSMENT**

**TOWN OF AMHERST
INDUSTRIAL DEVELOPMENT AUTHORITY**

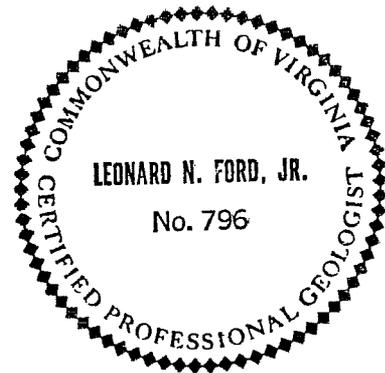
**MONTPELIER PROPERTY
US ROUTE 60 AND US ROUTE 29 BYPASS
AMHERST, VIRGINIA**

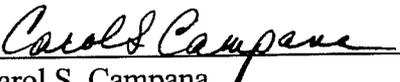
DAA PROJECT NO. 22097.01

The subject study was performed in general accordance with ASTM Standard Practice for Phase 1 Environmental Site Assessments (ASTM E1527-97).

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Carol S. Campana
Environmental Analyst

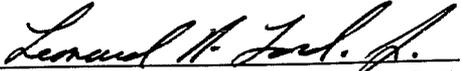

Leonard N. Ford, Jr. (PhD, PG)
Project Manager

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1.0 INTRODUCTION

The subject Property is the proposed site of a commercial/industrial development and is also known as the Montpelier Property. The Property consists of approximately 317 acres and is located in the eastern portion of the Town of Amherst. Areas within the Property are zoned A-1 (Agricultural) and R-1 (Residential).

The findings discussed below are based upon a review of available records, surficial site conditions (as observed during one site visit), and prior experience. Detailed discussions of our findings are presented in APPENDIX 2 (records review) and APPENDIX 3 (site reconnaissance).

2.0 AREAS OF CONCERN

Based upon research and on-site observations, Draper Aden Associates has identified several areas of presumably minor environmental concern. None of the concerns described below, however, are considered likely to preclude development of the subject site.

- Soils contaminated by petroleum hydrocarbons were observed within a barn that is located on Tract 2B. In addition, the presence of lead-acid batteries in the same area suggests some potential for discharge of acidic fluids having high concentrations of lead. It seems likely that the conditions observed within the barn represent *de minimis* levels of contamination (which do not present a material risk of harm to public health or the environment and which would not be subject to enforcement action if brought to the attention of regulatory agencies). Nonetheless, the extent of soil contamination and associated potential for groundwater contamination cannot be assessed in the absence of sampling and chemical analysis.

Recommendation. Advance hand-auger borings within the two areas that appear to represent the highest level of soil contamination in order to help determine the vertical extent of such contamination. Select two samples from each borehole. Form two composite soil samples from the four sub-samples and have them analyzed for total petroleum hydrocarbons (as diesel-range organics) and lead.

- Rutledge Creek and the channeled portions of all tributaries to Rutledge Creek (whether intermittent or perennial) represent Waters of the United States and are, therefore, subject to regulation by the U.S. Army Corps of Engineers pursuant to the Clean Water Act. Minor jurisdictional wetlands appear to be associated with the confluences of Rutledge Creek and two significant perennial streams along the north bank of Rutledge Creek. In addition, a small pond is located near the center of Tract 2: the impoundment and selected areas downstream of the dam appear to represent jurisdictional wetlands.

Recommendation. Although typical commercial development is excluded from floodplains, it may be prudent to delineate jurisdictional wetlands within the Rutledge Creek floodplain and along significant drainages prior to developing a master plan for the Property.

- A cinder block "house" was observed in the eastern portion of Tract 1B.

Recommendation. Assess the "house" for the presence of asbestos-containing materials prior to demolition.

3.0 INNOCENT LANDOWNER DEFENSE

The subject study was conducted in order to assist future owners in qualifying for the innocent landowner defense to CERCLA (Superfund) liability by performing "*all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice* (42 USC §9601(35)(B))."

The purpose of the environmental site assessment (ESA) is to help identify the presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property.

The goal of the ESA is not intended to include *de minimis* conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of regulatory agencies.

4.0 LIMITATIONS

This report has been prepared for the exclusive use of the referenced client for specific application to the subject sites. The report was prepared in accordance with generally accepted standards of practice for environmental services. No other warranty, either expressed or implied, is made. These findings do not constitute a recommendation to either buy, sell, or lease the subject sites.

Our conclusions and recommendations are based upon information provided to us by others, our on-site observations, and professional judgment. To the best of our knowledge, information provided by others is true and correct, unless otherwise noted; however, Draper Aden Associates is not responsible for the accuracy of information provided by others.

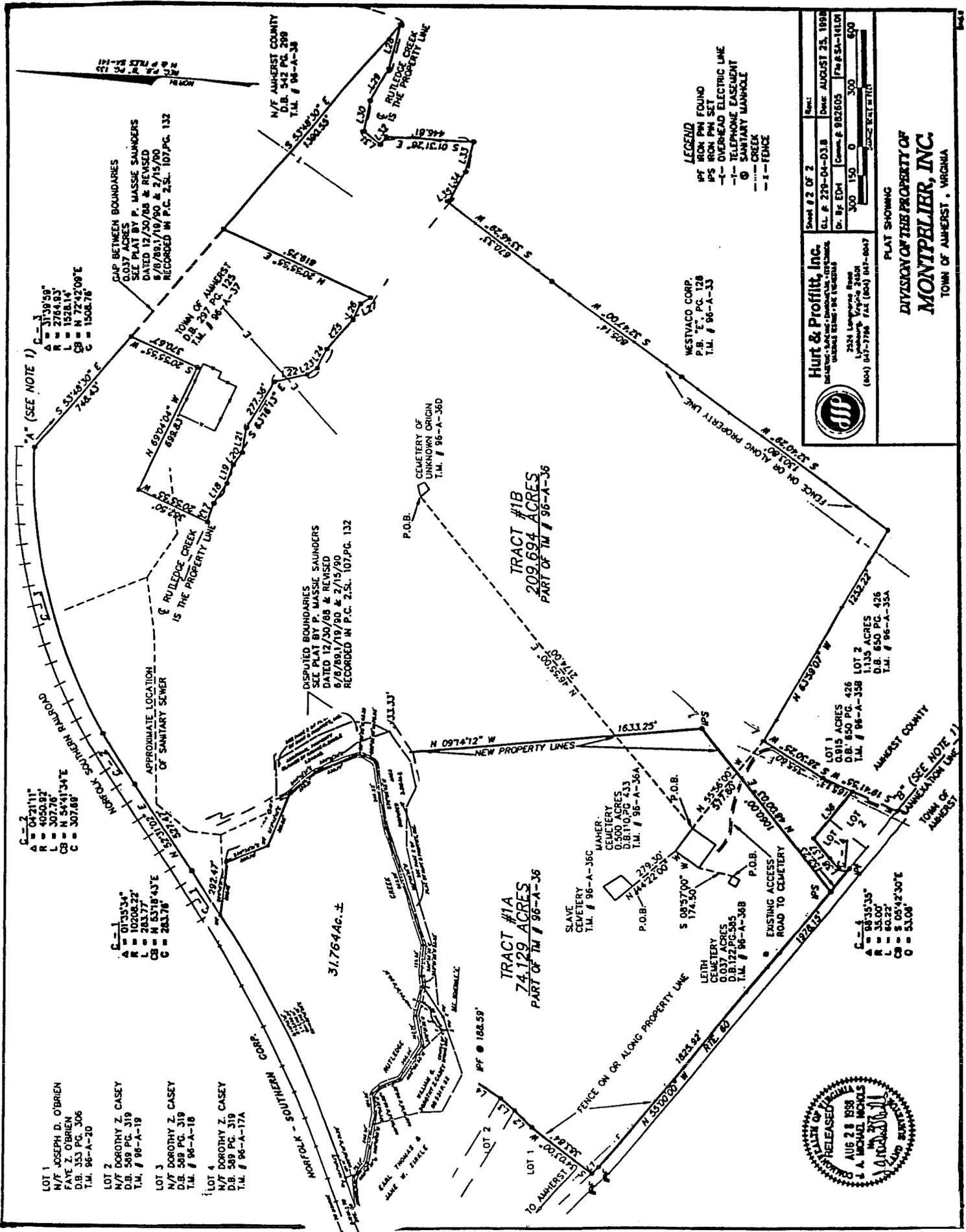
Our on-site observations pertain only to specific locations at specific times on specific dates. Our observations and conclusions do not reflect variations in subsurface conditions that may exist between sampling locations, in unexplored areas of the site, or at times other than those represented by our observations.

It is the responsibility of the client to notify the appropriate government agencies of our findings, as may be required by law. It is not the responsibility of Draper Aden Associates to report these findings to any federal, state, and/or local agency.

All documentation referenced in this report shall be archived in a project file at the offices of Draper Aden Associates.

APPENDIX 1

FIGURES



DAA FIGURE 2: MONTPELIER PROPERTY

Amherst, Virginia

REAL ESTATE AUCTION

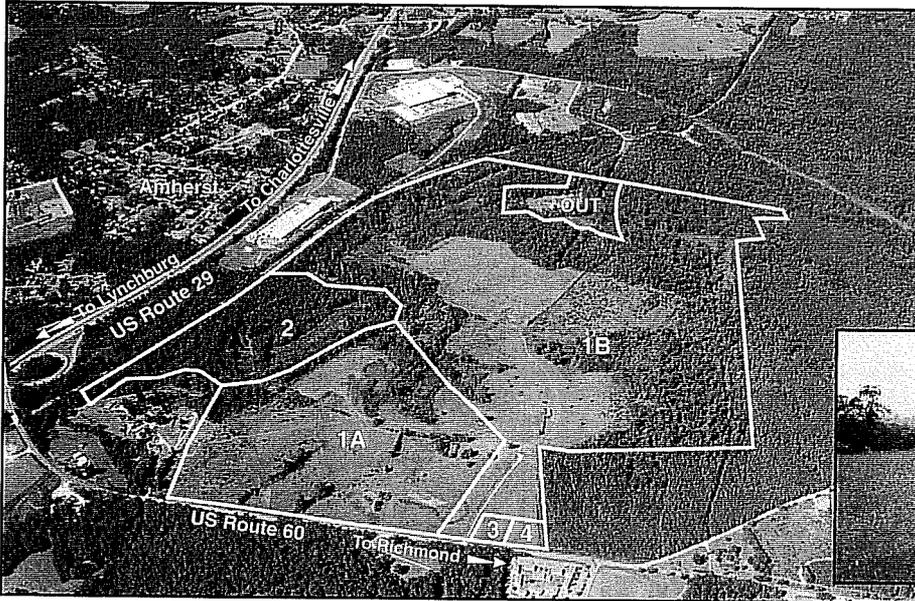
Saturday, September 19, 12 Noon

Preview Dates: Tuesday, September 1, from 1:00 to 3:00 PM and
Sunday, September 13, from 1:00 to 3:00 PM

317± ACRES PRIME DEVELOPMENT PROPERTY

315± ACRES SOLD ABSOLUTE!

Offered in 5 Tracts, then grouped.



<u>Tract</u>	<u>Acreage</u>
1A	74.129±
1B	209.694±
2	31.76±
3	.915±
4	1.135±



Tracts 1A, 1B and 2 Sold Absolute • Tracts 3 & 4 Sold Absolute Over \$16,000 Bid

Located at the base of the Blue Ridge Mountains on U.S. Route 60 approximately .50 miles from its intersection with U.S. Route 29 in the Town of Amherst, this property is ideal for development. The property has previously been approved for development as a golf course and residential community. It has potential for many other uses, either as a whole or as individual tracts. The location, low tax rate, beautiful views of the surrounding mountains, creeks, rolling hills and mixture of pastures and woodlands make this real estate one of the most desirable development properties in Central Virginia. Municipal water and sewer are accessible. As an indication of its desire to have this prime real estate developed, the Mayor of the Town of Amherst will hold a meeting for potential buyers at the Town Hall at 4:00, September 1, following the preview being held at the property. 5% Buyer's Premium.

Don't miss this opportunity to buy valuable development property at your price!

For further information, call **Jonna McGraw**, VA #2434

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INC.

BROKERS & AUCTIONEERS

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APPENDIX 2
RECORDS REVIEW

APPENDIX 2

RECORDS REVIEW

1.0 PHYSICAL SETTING

The results of research concerning the physical setting within which the subject property is located are discussed in this section.

1.1 General Description

The subject property is the proposed site of the Town of Amherst Industrial Park (referenced herein as “the Property”) and is also known as the “Montpelier Property.” The Property consists of approximately 317 acres and is located in the eastern portion of the Town of Amherst. Areas within the Property are zoned A-1 (Agricultural) and R-1 (Residential).

The property has been described as consisting of 5 tracts:

- Tract 1A (74.129 acres) fronts US Route 60 and is located entirely south of Rutledge Creek. Most of Tract 1A consists of pasture.
- Tract 1B (209.694 acres) represents most of the interior portion of the Property. A small amount of frontage along US Route 60 permits access to both Tract 1B and Tract 1A. A relatively small portion of Tract 1B is located north of Rutledge Creek, to both the east and west of the sewage treatment plant. For convenience, we refer to that portion of Tract 1B as the “trans-Rutledge” portion of the tract. About half of Tract 1B (the south and central portions) consists of pasture; the remainder consists of various stages of forest succession.
- Tract 2 (31.76 acres) is located entirely north and west of Rutledge Creek. The north end of Tract 2 is separated from the southwest end of “trans-Rutledge” Tract 1B by a significant (but unnamed) stream.
- Tract 3 (0.915 acre) fronts US Route 60 and consists of pasture.
- Tract 4 (1.135 acre) fronts US Route 60, is east of Tract 3 and also consists of pasture.

The Montpelier Property is bounded by Norfolk Southern Railroad to the northwest, by US Route 60 to the southwest, wooded Westvaco property to the southeast, and by Amherst Waste Water Treatment Plant to the north.

1.2 Topography

Draper Aden Associates personnel reviewed the USGS 7.5 minute topographic map of the Amherst, Virginia, quadrangle (1963; photorevised 1978). The Property lies wholly within the Amherst, Virginia, USGS 7.5-minute quadrangle (FIGURE 1).

The area consists largely of gently rolling upland areas that are dissected by Rutledge Creek and an unnamed tributary to Rutledge Creek. Access is gained to most of the site from US Route 60; however, access to the “trans-Rutledge” portions of the site must presently be gained via the Town sewage treatment plant.

1.3 Geology

The Town of Amherst is located in the Piedmont Physiographic Province of the eastern United States. In particular, the Town of Amherst is underlain by metamorphosed Pre-Cambrian rocks of sedimentary and igneous origin (gneisses, schists, phyllites). The Property appears to be underlain by schists and gneisses, as evidenced by the saprolitic residual soils.

1.4 Surface Water

Based upon a review of surface topography, surface water appears to flow toward Rutledge Creek and its minor unnamed tributaries and subsequently north toward the Buffalo River. The eastern portion of the site drains toward a significant, yet unnamed tributary of Rutledge Creek.

The southernmost portion of the property flows south (beneath Route 60) toward another unnamed tributary of Rutledge Creek.

1.5 Groundwater

Based upon a review of surface topography, groundwater also flows toward Rutledge Creek. All subsequent references to the hydrogeologic relationships between different areas (upgradient, downgradient, cross-gradient) represent estimates based upon topographic analysis.

Caution: groundwater flows from areas of relative high pressure to areas of relative low pressure. Although the direction of groundwater flow often mimics topography (especially in near-surface, unconfined aquifers), such is not always the case (especially in deep and/or confined aquifers).

1.6 Flood Hazard

The Federal Emergency Management Agency (FEMA) publishes flood insurance rate maps as part of the National Flood Insurance Program. The presence of physiographic flood plains may also be inferred from a review of topographic maps, such as the 7.5' series published by the United States Geological Survey.

On November 10, 1998, Draper Aden Associates personnel reviewed the FEMA flood map for Amherst County (Unincorporated Areas), Virginia (Community-Panel Number 510010 0085 A, panel 85 of 135; effective date July 17, 1978). According to the FEMA map, the majority of the site has been classified as areas of minimal flooding. Areas along Rutledge Creek, however, are determined to be areas of 100-year flood. Base flood elevations and flood hazard factors were not determined.

1.7 Wetlands

The majority of the site is located on a topographic high. Conversely, Rutledge Creek and the channeled portions of all tributaries to Rutledge Creek (whether intermittent or perennial) represent Waters of the United States and are, therefore, subject to regulation by the U.S. Army Corps of Engineers pursuant to the Clean Water Act.

2.0 HISTORICAL USE

The results of research concerning the historical use of the subject site are discussed in this section.

2.1 Aerial Photographs Virginia Department of Transportation

The Virginia Department of Transportation (VDOT) maintains a collection of both recent and historic aerial photographs. The collection is archived on the ninth floor of the VDOT building at 1401 East Broad Street, Richmond, Virginia.

Draper Aden personnel have ordered photographs from VDOT; however, the aerial photographs had not arrived by the date of this report.

2.2 Fire Insurance Maps

Fire insurance maps are produced by private fire insurance map companies. Such maps indicate uses of properties at specified dates. The Sanborn Company produced such maps for urban areas for many years. The Virginia State Library, located between 8th and 9th Streets in Richmond, Virginia, maintains a collection of maps produced by the Sanborn Company.

On November 8, 1998, Draper Aden Associates personnel visited the Virginia State Library to view the Sanborn maps. Sanborn maps covering Amherst, Virginia, were incomplete. No Sanborn maps were available for the Montpelier Property because the area was rural and sparsely populated.

2.3 City Directories

City directories often provide the names of businesses (if any) that were previously located at (or near) the subject site. In some cases, the nature of the business may be assumed from the name of the business, which may permit inferences to be made regarding the potential for environmental incidents at the site. The Virginia State Library, located between 8th and 9th Streets in Richmond, Virginia, maintains a collection of historical city directories.

On November 8, 1998, Draper Aden Associates personnel visited the Virginia State Library to view the historical city directories for the areas in and around Amherst, Virginia. These areas were included in the Lynchburg, Virginia, directories did not include street addresses in the area of the subject Property.

2.4 Historic Resources

The Virginia Department of Historic Resources (VDHR) is located at the Virginia Historical Society on Kensington Street and The Boulevard in Richmond, Virginia. The VDHR maintains two collections of USGS 7.5 minute topographic maps on which *surveyed* historic resources have been plotted (other historic resources that may or may not be present are not shown if a survey has not been performed). One of the collections is restricted to *structural resources* (buildings, etc.). The other collection is restricted to *archeological resources*. *Note that the Virginia Department of Historic Resources (VDHR) was previously known as the Virginia Division of Historic Landmarks (VDHL).*

On November 8, 1998, Draper Aden Associates personnel visited the VHDR and reviewed both map collections. The findings of the map collections research are discussed below.

On-site resources. No surveyed archeological sites or surveyed historic structures were located on the Montpelier Property.

Off-site resources. Three off-site, surveyed, structural resources were discovered within a one-mile radius of the subject site:

- VDHL File no. 05-0141
House "Hunting Tower." With various outbuildings (ice house, workshop) and cemetery. Circa 1760s. This structure is located on SR 606 along US Route 60, south of the Montpelier Property.
- VDHL File no. 05-123
House "Dulwich." Circa 1895. Currently used as a bed and breakfast inn and small conference center. This structure is located along US Route 60, just south of the Montpelier Property
- VDHL File No. 05-145
Stone filling station. Circa 1928. This structure is located about 0.2 miles east of the Property on SR 606 and north of US Route 60. Because this structure was a filling station in the 1920s, it is very likely that groundwater beneath the structure is contaminated. The filling station is located cross-gradient to downgradient from the Property, such that any release of petroleum hydrocarbons from the old filling station would not be likely to impact the Property.

Since the historic structures are not located on the subject Property, they are not likely to be adversely affected by development of the latter.

2.5 Summary

No areas of significant environmental concern were inferred from a review of historical uses of the property.

3.0 ENVIRONMENTAL INCIDENTS: FEDERAL

On October 19, 1998, Draper Aden Associates personnel requested Envirodata to conduct a database search for the subject Property. The search was performed in general accordance with ASTM standards for determination of a Phase I Environmental Site Assessment. Results of the database search are discussed in the following sections and include mapped (sites with street addresses) and unmapped sites (sites without street addresses) within the applicable Zipcode and FIPS code areas; Zipcode area = 24521; FIPS code area = 009. A copy of the database search report is provided at the end of this appendix.

3.1 National Priorities List (NPL)

The NPL, also known as the Superfund List, is an EPA listing of uncontrolled or abandoned hazardous waste sites. The list is primarily based upon a score that the site receives from the EPA's Hazardous Ranking System. These sites are targeted for possible long-term remedial action under CERCLA (Superfund).

A search of the NPL database (file date = 09-25-98, search date = 10-19-98) revealed no NPL sites within a one mile-radius of the subject site.

3.2 Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS)

CERCLIS is a compilation of known and suspected uncontrolled or abandoned hazardous waste sites. These sites have been investigated, or are currently under investigation, by the EPA for the release, or threatened release, of hazardous substances. Once a site is placed on CERCLIS, it may be subjected to several levels of review and evaluation, and ultimately placed on the National Priorities List.

A search of the CERCLIS database (file date = 09-25-98, search date = 10-19-98) revealed no CERCLIS sites within a one-half mile radius of the subject site.

3.3 Resource Conservation and Recovery Information System (RCRIS) - Treatment, Storage and Disposal Facilities (TSD)

The RCRIS-TSD database contains information pertaining to those facilities that either treat, store or dispose of hazardous waste.

A search of the RCRIS-TSD database (file date = 08-07-98, search date = 10-19-98) revealed no sites within a one-mile radius of the subject site and no unmapped sites in the Zipcode area.

3.4 Resource, Conservation and Recovery Information System (RCRIS) - Generators/Transporters

The RCRIS Generator/Transporter database contains information pertaining to facilities that either generate hazardous waste or meet other applicable requirements of the Resource Conservation and Recovery Act (RCRA).

A search of the RCRIS Generator/Transporter database (file date = 08-07-98, search date = 10-19-98) revealed no mapped RCRIS sites within a one-half mile radius of the subject site. The search, however, revealed 3 unmapped sites within the Zip code (24521) area. None of these 3 sites appeared to warrant further consideration.

3.5 Emergency Response Notification System (ERNS)

The ERNS database contains information pertaining to sudden and/or accidental releases of hazardous substances and petroleum into the environment. The ERNS reporting system contains preliminary information on specific releases, including spill location, the substance released, and the responsible party.

A search of the ERNS database (file date = 08-27-98, search date = 10-19-98) revealed no mapped releases within a one-half mile radius of the subject site. The search also revealed no unmapped releases within the Zipcode (24521) area.

3.6 Summary

No areas of significant environmental concern were inferred from a review of the federal database records pertaining to the Property.

4.0 ENVIRONMENTAL INCIDENTS: STATE

4.1 Solid Waste Facilities

The Virginia Department of Environmental Quality maintains a list of solid waste facilities located throughout the Commonwealth.

A search of listed solid waste sites (file date = 08-13-98, search date = 10-19-98) revealed no mapped solid waste facilities within a one-half mile radius of the subject site. The search revealed, however, the presence of 6 unmapped facilities within the FIPS county code areas. None of these facilities warranted further consideration.

4.2 Registered Underground Storage Tanks

The Virginia Department of Environmental Quality maintains a list of registered underground storage tanks that are located throughout the Commonwealth. These tanks are not necessarily associated with a release, but represent the potential for a release.

A search of the UST registration database (file date = 11-08-97, search date = 10-19-98) revealed the presence of 8 mapped UST facilities within a one-half mile radius of the subject site. None of these facilities warranted further consideration.

The search revealed the presence of 17 unmapped facilities within the Zipcode (24521) area. Of the 17 unmapped facilities that were researched, none appeared to be located in the immediate vicinity of the subject site.

4.3 Pollution Complaints

The Virginia Department of Environmental Quality maintains a database pertaining to leaking underground storage tanks (LUSTS), leaking above-ground storage tanks (LASTS), and other reported releases throughout the Commonwealth.

A search of Pollution Complaints pertaining to leaking tanks (file date = 05-28-98, search date = 10-19-98) revealed the presence of 3 mapped releases within a one-half mile radius of the subject site. The search also revealed 4 unmapped petroleum releases within the Zipcode (24521) area. Of these 7 releases, none appeared to be located in the immediate vicinity of the subject site.

A search of additional (non-UST-related) Pollution Complaints (file date = 04-06-98, search date = 10-19-98) revealed the presence of no mapped facility within a one-half mile radius of the subject site. A search of additional Pollution Complaints, however, revealed the presence of 2 unmapped facilities within the Zip Code (24521) area. Neither of these facilities warranted further consideration.

4.4 Voluntary Remediation Program

Virginia conducts a voluntary remediation program. A search of participants in the program (file date = 01-11-98, search date = 10-19-98) revealed the presence of no mapped facilities within a one-mile radius of the subject site. The search revealed the presence of 2 unmapped facilities within FIPS county code area (009). Neither of these facilities warranted further consideration because of their distance from the Property.

4.5 Summary

No areas of significant environmental concern were inferred from a review of the state database records pertaining to the Property.

5.0 INTERVIEWS

Information obtained during interviews is discussed in this section.

5.1 Mr. Jack Hobbs – Amherst Town Manager

Mr. Hobbs is Town Manager of the Town of Amherst. In telephone interviews on November 10 and 16, 1998, Mr. Hobbs stated that the Montpelier Property is zoned Residential District R-1 and Agricultural District A-1 as noted in an information package issued by the Town prior to the September 19, 1998, auction of the Property (document located at end of this Section). He stated that the Town has the opportunity to purchase the property because of the recent failure of a proposed residential/golf course development. Information from the Amherst County (Real Estate) Assessor's office is also included in this package.

Mr. Hobbs stated that three Town water lines are adjacent to the Property and that the Town hopes to extend pipes through the property to loop its water distribution system.

Mr. Hobbs stated that the Town draws its water from Buffalo River 2 to 3 miles from the Property. Rutledge Creek discharges below the Town's intake.

Mr. Hobbs informed Draper Aden personnel that First Brands industrial plant operates a well that is located along the Montpelier side of Rutledge Creek, behind Buffalo Forge industrial plant. First Brands uses this well for process water in their cooling system and not for drinking water.

5.2 Mr. Jack Bell - Public Safety Department

Mr. Bell is with the Amherst Public Safety Department. In a telephone interview on November 10, 1998, Mr. Bell stated that he was not aware of any chemical releases in the area of the Montpelier Property.

5.3 Mr. Wayne Burnette - Health Department

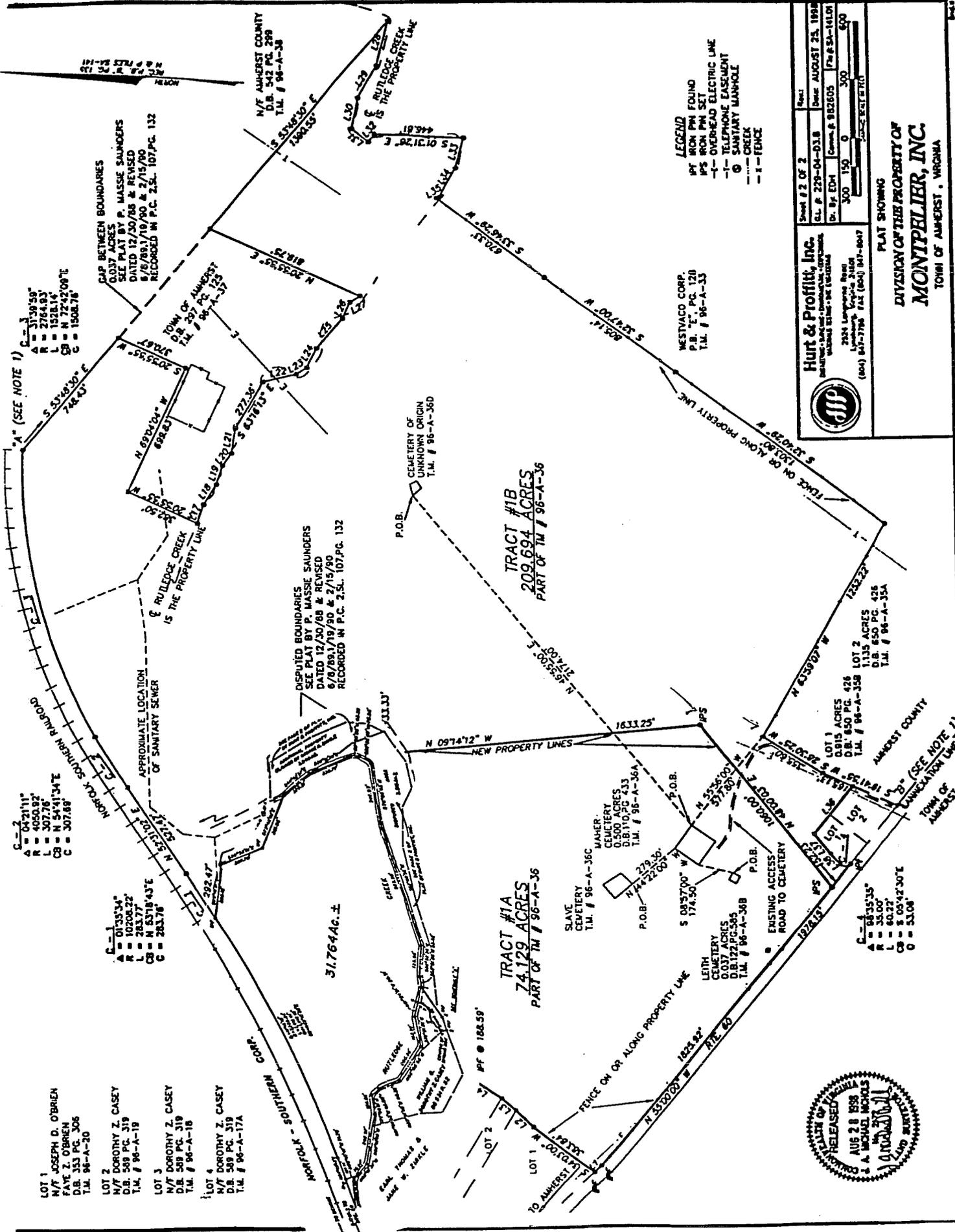
Mr. Burnette is an environmental health specialist at the Amherst Health Department. In a telephone interview on November 10, 1998, he stated numerous private wells reside in the Montpelier Property area.

5.4 Summary

No areas of significant environmental concern were inferred from interviews regarding the property.

**TOWN OF AMHERST
INFORMATION PACKAGE
(SELECTED SECTIONS)**

SURVEYS



C-2
 A = 147'11"
 R = 4050.92'
 L = 307.76'
 CB = N 54°11'34"E
 C = 307.88'

C-1
 A = 0135'34"
 R = 10208.22'
 L = 283.77'
 CB = N 83°18'43"E
 C = 283.76'

LOT 2
 N/T DOROTHY Z. CASEY
 D.B. 589 PG. 319
 T.M. # 96-A-19

LOT 3
 N/T DOROTHY Z. CASEY
 D.B. 589 PG. 319
 T.M. # 96-A-18

LOT 4
 N/T DOROTHY Z. CASEY
 D.B. 589 PG. 319
 T.M. # 96-A-17A

DISPUTED BOUNDARIES
 SEE PLAT BY P. MASSE SAUNDERS
 DATED 12/30/88 & REVISED
 6/8/89, 1/19/90 & 2/19/90
 RECORDED IN P.C. 2.S.L. 107.PC. 132

GAP BETWEEN BOUNDARIES
 0.037 ACRES
 SEE PLAT BY P. MASSE SAUNDERS
 DATED 12/30/88 & REVISED
 6/8/89, 1/19/90 & 2/19/90
 RECORDED IN P.C. 2.S.L. 107.PC. 132

TRACT #1B
 209.694 ACRES
 PART OF TM # 96-A-36

TRACT #1A
 74.129 ACRES
 PART OF TM # 96-A-36

SLAVE CEMETERY
 T.M. # 96-A-36C
 0.500 ACRES
 D.B. 110 PG. 433
 T.M. # 96-A-36A

LEITH CEMETERY
 0.037 ACRES
 D.B. 122 PG. 585
 T.M. # 96-A-56B

LOT 1
 0.915 ACRES
 D.B. 850 PG. 428
 T.M. # 96-A-35B

LOT 2
 1.115 ACRES
 D.B. 850 PG. 428
 T.M. # 96-A-35A

LEGEND
 IPF IRON PIN FOUND
 IPS IRON PIN SET
 -O- OVERHEAD ELECTRIC LINE
 -T- TELEPHONE EASEMENT
 @ SANITARY MANHOLE
 --- CREEK
 --- FENCE

WESTVACO CORP.
 P.B. T., PG. 128
 T.M. # 96-A-33

P.O.B.
 CEMETERY OF UNKNOWN ORIGIN
 T.M. # 96-A-36D



PLAT SHOWING
 DIVISION OF THE PROPERTY OF
MONTPELLIER, INC.
 TOWN OF AMHERST, VIRGINIA

Sheet # 2 OF 2
 Date: AUGUST 28, 1988
 D.L. # 279-04-03-B
 Comm. # 982605 (P# 82A-1810)
 Dr. By EDH
 300 150 0 300 600
 1:500 WEST N.T.S.

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THE CLERK'S OFFICE OF THE CHANCERY COURT OF AMHERST COUNTY, VIRGINIA

STATEMENT SHALL BE WRITTEN BY EACH PARTY AND FULLY ACKNOWLEDGED BEFORE SOME OFFICER AUTHORIZED TO TAKE ACKNOWLEDGEMENTS -

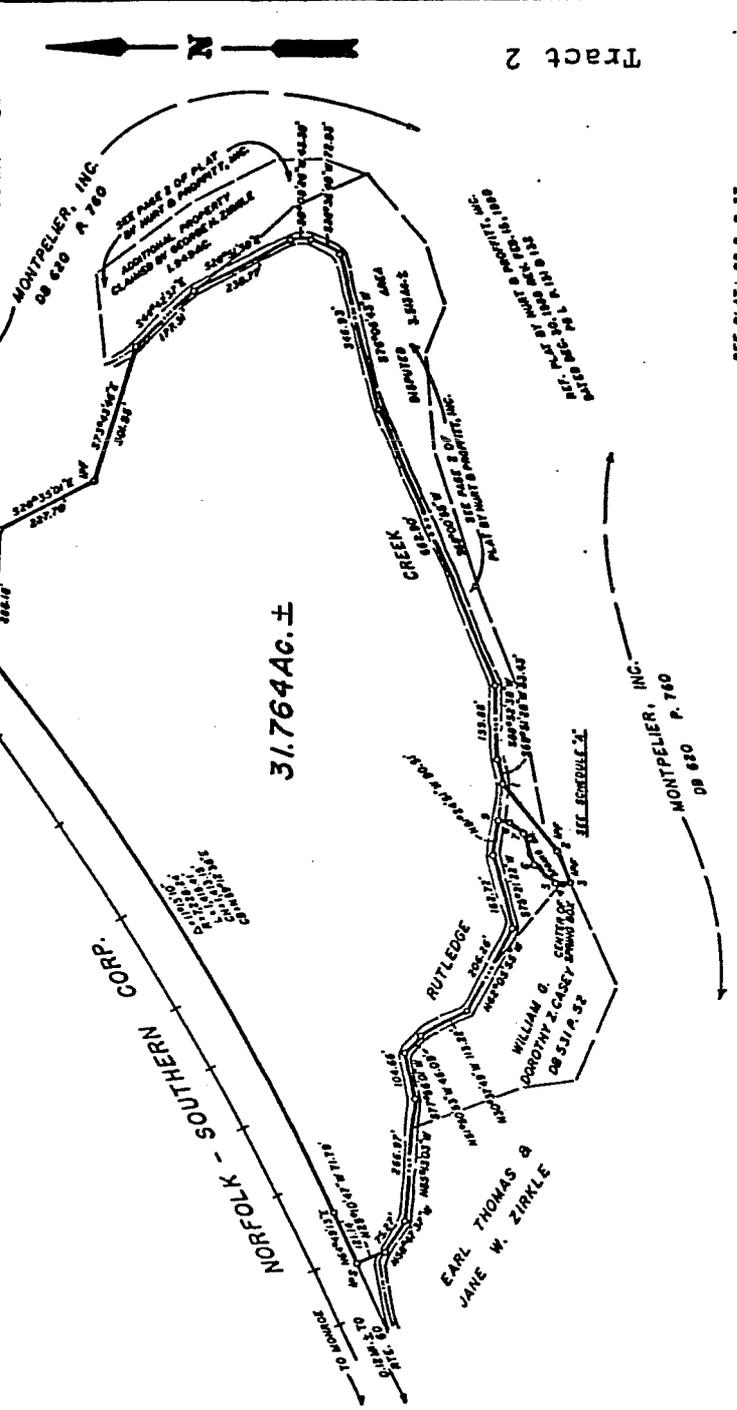
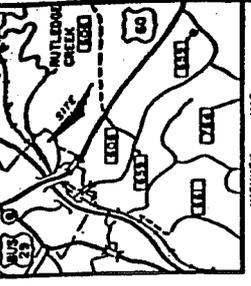
George H. Zirkle
 TO WIT:
 COUNTY OF AMHERST
 STATE OF VIRGINIA
 I, *Deborah L. Goulet*, Clerk of the Court, do hereby certify that the within plat was filed in my office on this 23rd day of *January*, 1991.
 DEBORAH L. GOULET, Clerk of the Court

SCHEDULE "A"		
1-2	552°56'28" N	189.78'
2-3	567°16'26" N	71.62'
3-4	N08°47'56" N	20.78'
4-5	N05°25'59" E	14.93'
5-6	N42°09'19" E	56.86'
6-7	N36°41'21" E	36.79'
7-8	S00°47'49" E	51.73'
8-9	N35°25'57" E	68.94'

NOTE: BEARINGS AND DISTANCES SHOWN ALONG RUTLEDGE CREEK ARE USED TO APPROXIMATE THE CENTER-LINE AND ARE FOR CONVEYANCE PURPOSES ONLY. THE CENTER-LINE OF RUTLEDGE CREEK IS SHOWN BY PLAT MADE BY T. C. SAUNDERS (P. 8 P. 133)

THIS SURVEY HAS BEEN PREPARED BY GEORGE H. ZIRKLE, A LICENSED SURVEYOR IN THE STATE OF VIRGINIA. ALL DISTANCES AND BEARINGS ARE AS SHOWN ON THIS PLAT.

SCALE: 1" = 200'
 COME. NO. 91010
 TAX MAP NO. 98-A-13



PLAT SHOWING
 PARCEL "A"
 PART OF THE PROPERTY OF
GEORGE H. ZIRKLE
 COURT HOUSE DISTRICT
 AMHERST COUNTY, VA.

ACRES INCORPORATED
 LAND SURVEYING & LAND PLANNING
 8480 TIMBERLAKE ROAD
 LYNCHBURG, VA. 24502
 (804) 237-3470

DATE: JAN. 2, 1991
 PB 227 B 300
 REV:

Ok of 4-8-91



THIS PROPERTY IS LOCATED IN ZONE 'C' AND IS NOT LOCATED WITHIN FLOOD HAZARD ZONE 'A' FOR A 100-YEAR FLOOD AS DETERMINED BY F.E.M.A. AND SHOWN ON THEIR MAP DATED JULY 17, 1978.

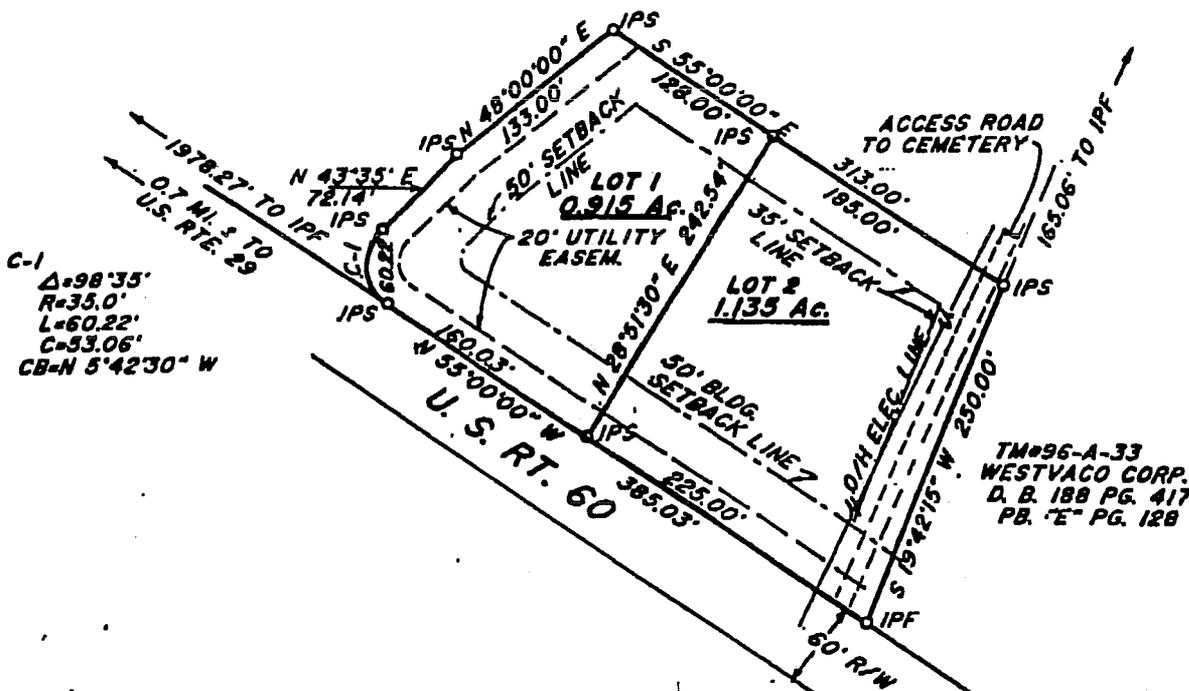
THIS PLAT HAS BEEN PREPARED FROM A CURRENT FIELD SURVEY.

1978

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT, THEREFORE, NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

TM#96-A-36
MONTPELIER INC.
D. B. 620 PG. 760

P. B. L. PG. 131, 132
NORTH



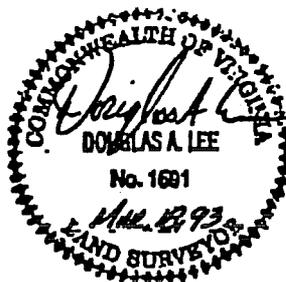
C-1
Δ=98°35'
R=35.0'
L=60.22'
C=33.06'
CB=N 5°42'30\" W

TM#96-A-33
WESTVACO CORP.
D. B. 188 PG. 417
PB. 'E' PG. 128

BOOK 657 PAGE 954

NOTE: LOTS WILL BE SERVED WITH PUBLIC WATER AND PUBLIC SEWER UNDER THE MONTPELIER PROGRAM.

SOURCE OF TITLE:
THIS PROPERTY WAS CONVEYED TO 2524 PROPERTIES BY DEED RECORDED IN DEED BOOK 650 PAGE 426 IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF AMHERST COUNTY, VIRGINIA.



D. A. Lee 3-23-93

PLAT SHOWING DIVISION OF PROPERTY OF

2524 PROPERTIES



Hurl & Proffitt, Inc.
Engineers • Surveyors
2524 LANGHORNE RD.
LYNCHBURG, VA 24501
Phone 804 547-7708

COURT HOUSE DISTRICT—AMHERST COUNTY, VA.

NOTES

THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT, THEREFORE, NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
 TRACT 1A HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY DONE AS PER DATE OF THIS PLAT AND THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN. TRACT 1B WAS TAKEN FROM RECORD INFORMATION, AND NO FIELD SURVEY WAS PERFORMED AT THIS TIME.

THE AREA SHOWN IS LOCATED IN ZONE 'C' AND DOES NOT FALL WITHIN FLOOD HAZARD ZONE 'A' FOR A 100 YEAR FLOOD AS SHOWN ON A MAP BY F.E.M.A. DATED SEPTEMBER 1, 1978 & REVISED NOVEMBER 16, 1983.

PLAT OF REFERENCE:
 SEE PLAT BY PHASSIE SAUNDERS DATED DECEMBER 30, 1988 & REVISED JUNE 8, 1989, JANUARY 19, 1980 & FEBRUARY 15, 1980, RECORDED IN P.C. 2 SL. 107, PG. 132 OF THE THE CIRCUIT COURT CLERKS OFFICE OF AMHERST COUNTY, VIRGINIA.

THE SUBDIVISION OF THE LAND DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES. THE OWNERS CERTIFY THAT THEY ARE THE FEE SIMPLE OWNERS OF SAID LAND AND ARE LEGALLY ENTITLED TO SUBDIVIDE THE SAME.

OWNER (MONTPELIER, INC.) _____ DATE _____
 BY: _____
 ITS: PRESIDENT

COMMONWEALTH AT LARGE TO WIT:
 STATE OF VIRGINIA
 COUNTY/CITY OF _____

I, _____ A NOTARY PUBLIC IN AND FOR THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE OWNERS/REPRESENTATIVES WHOSE NAMES ARE SIGNED HEREON HAVE ACKNOWLEDGED THE SAME BEFORE ME THIS _____ DAY OF _____, 19____.
 MY COMMISSION EXPIRES: _____

NOTARY PUBLIC _____

SUBDIVISION APPROVED _____

SOURCE OF TITLE:
 THE AREA SHOWN WAS ACQUIRED BY MONTPELIER, INC. FROM PAUL WAILLES, III, et al. BY DEED DATED JANUARY 4, 1991, AS RECORDED IN D.B. 820 PAGE 760 OF THE CIRCUIT COURT CLERKS OFFICE OF AMHERST COUNTY, VIRGINIA.

NOTE 1

FROM POINT "A" TO "B" IS A PART OF THE ANNEXATION LINE FOR THE TOWN OF AMHERST. SEE PLAT BY WILLIAM S. CALLAHAN DATED NOVEMBER 27, 1993 AND REVISED NOVEMBER 29, 1993.

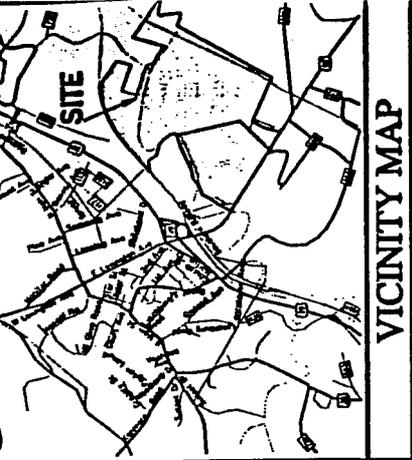
LINE TABLE	BEARING	LENGTH
L1	N49°17'16"E	47.37
L2	N40°00'33"E	122.22
L3	N36°51'27"E	95.88
L4	N30°13'36"E	199.80
L5	N66°08'01"E	101.35
L6	N77°08'34"E	95.71
L7	N58°08'04"E	47.80
L8	N87°28'06"E	71.86
L9	N52°56'28"E	189.78
L10	N69°51'28"E	53.43
L11	N88°52'48"E	159.88
L12	N46°36'40"E	72.93
L13	N00°09'28"E	43.39
L14	N28°51'59"W	238.77
L15	N44°42'37"W	177.31
L16	N28°33'01"W	227.70
L17	S75°03'26"E	100.53
L18	S61°28'06"E	121.03
L19	S75°54'21"E	100.70
L20	S57°10'28"E	77.64
L21	S84°16'17"E	132.94
L22	S17°05'12"E	168.29
L23	S36°39'47"E	61.58
L24	S67°01'04"E	112.05
L25	S33°42'27"E	200.10
L26	S86°03'47"E	89.98
L27	S35°13'42"E	59.26
L28	N79°27'25"W	241.93
L29	N64°13'10"W	188.31
L30	N82°22'58"W	156.60
L31	S35°01'07"W	108.73
L32	S97°54'28"E	48.89
L33	N79°23'31"W	162.84
L34	N65°42'48"W	159.39
L35	N38°51'40"W	21.47
L36	N55°00'00"W	312.97
L37	S48°00'00"W	133.00
L38	S43°35'00"W	72.14

MAHER CEMETERY
 S 31°20'45"W 147.58'
 N 56°39'15"W 147.58'
 N 31°20'45"E 147.58'
 S 58°39'15"E 147.58'

LEITH CEMETERY
 S 24°30'48" W 40.00'
 N 65°29'12" W 40.00'
 N 24°30'48" E 40.00'
 S 65°29'12" E 40.00'

SLAVE CEMETERY
 N 44°56'08" W 111.60'
 N 45°49'14" E 89.74'
 S 38°12'31" E 102.65'
 S 38°50'19" W 78.17'

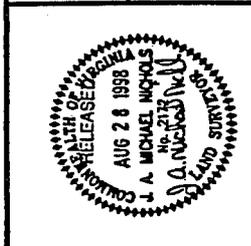
UNKNOWN CEMETERY
 N 71°25'16" E 59.00'
 S 28°31'24" E 38.70'
 S 53°13'50" W 42.85'
 N 44°27'21" W 57.23'



Tracts 1A & 1B

Sheet # 1 OF 2
 Date: AUGUST 25, 1998
 Drawn By: EDH
 Comm #: 982605
 Scale: 300' = 1" (Graphic Scale 1" = 300')

Hurt & Proffitt, Inc.
 2524 Longhorns Road
 Virginia 24501
 (804) 847-7796 FAX (804) 847-0547



PLAT SHOWING
 DIVISION OF THE PROPERTY OF
MONTPELIER, INC.
 TOWN OF AMHERST, VIRGINIA

TAX MAP

TAX ASSESSMENTS

Print Key Output

5716SS1 V3R7M0 961108

AMHERST

07/16/98

14:23:03

Display Device : RE1
User : HICKMAN

AMHERST

Property Card Inquiry

TOWN OF AMHERST

No 96 A 35A
c 0000018419
ord# 18252
l1#
eage 1.135 Class 1

HURT C F & E H DICKERSON JR & D B
ALLEN & E W PROFFITT
2524 LANGHORNE ROAD
LYNCHBURG VA

24501

OF AMHERST ON RT 60
T 2

96 A 35A
House# Dir Street Name
00000

Type Dir

Assessed Value

Land Use & Value

ar	1/01/96	Type	Acres	Price	Adj	Value
nd	12,300	H/S-C200	1	12,000		12,000
or		OTHER	.135	2,000		270
hrl	12,300					

Front	Depth	Dp Fac	Area	Unit	Rate	Adj
-------	-------	--------	------	------	------	-----

Val Under Dev-

Min Val Not Under Dev-

F14 Land

Search F2 N&A F4 Val F5 OI F6 Bldg Des F7 Int/Ext F8 Sktch F9 Back F12 Sel

5716SS1 V3R7M0 961108

Print Key Output

AMHERST

Display Device : RE1
User : HICKMAN

AMHERST

Property Card Inquiry

TOWN OF AMHERST

No 96 A 35B
0000019005
rd# 18824
l#
age .915

Class 1

HURT C F & E H DICKERSON JR & D B
ALLEN & E W PROFFITT
2524 LANGHORNE ROAD
LYNCHBURG VA

24501

F AMHERST ON RT 60

96 A 35B
House# Dir Street Name
00000

Type Dir

Assessed Value

Land Use & Value

r 1/01/96 Type Acres Price Adj Value
d 12,000 H/S-C200 .915 12,000 12,000

12,000

ront Depth Dp Fac Area Unit Rate Adj

Val Under Dev- Min Val Not Under Dev- F14 Land
Search F2 N&A F4 Val F5 OI F6 Bldg Des F7 Int/Ext F8 Sktch F9 Back F12 Sel

ZONING

AMHERST TOWN CODE

9. School support facilities.

(Enacted September 13, 1993.)

Sec. 18-703. Limited Residential District R-1

Sec. 18-703.01 Intent of Limited Residential District R-1.

This district is composed of certain quiet, low-density residential areas plus certain open areas where similar residential development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage a suitable environment for family life where there are children, and to prohibit activities of a commercial nature. To these ends, development is limited to relatively low concentration and permitted uses are limited basically to single unit dwellings providing homes for the residents plus certain additional uses that serve the residents of the district.

Sec. 18-703.02 Permitted uses.

Within the Limited Residential District R-1 the following uses are permitted:

1. Accessory uses as provided in Section 901 herein.
2. Churches, manses, parish houses and adjacent cemeteries;
3. Garages, private;
4. Public parks and playgrounds, provided recreational facilities shall not be less than two hundred fifty (250 feet from any residential lot line;
5. Schools;
6. Single-family dwellings, except for mobile homes and manufactured homes;
7. Signs as provided in Section 907;
8. Public utilities: poles, lines, transformers, pipes, meters, and/or other facilities necessary for the provision and maintenance of public utilities; provided that electric service lines from the street property line to any residence or other permitted use shall be underground. Provided that only one line of poles will be allowed on any street. (Amended May 10, 1995)

ZONING AND SUBDIVISION

ARTICLE VII. USE REQUIREMENTS BY ZONING DISTRICTS

Sec. 18-702. Agricultural District A-1

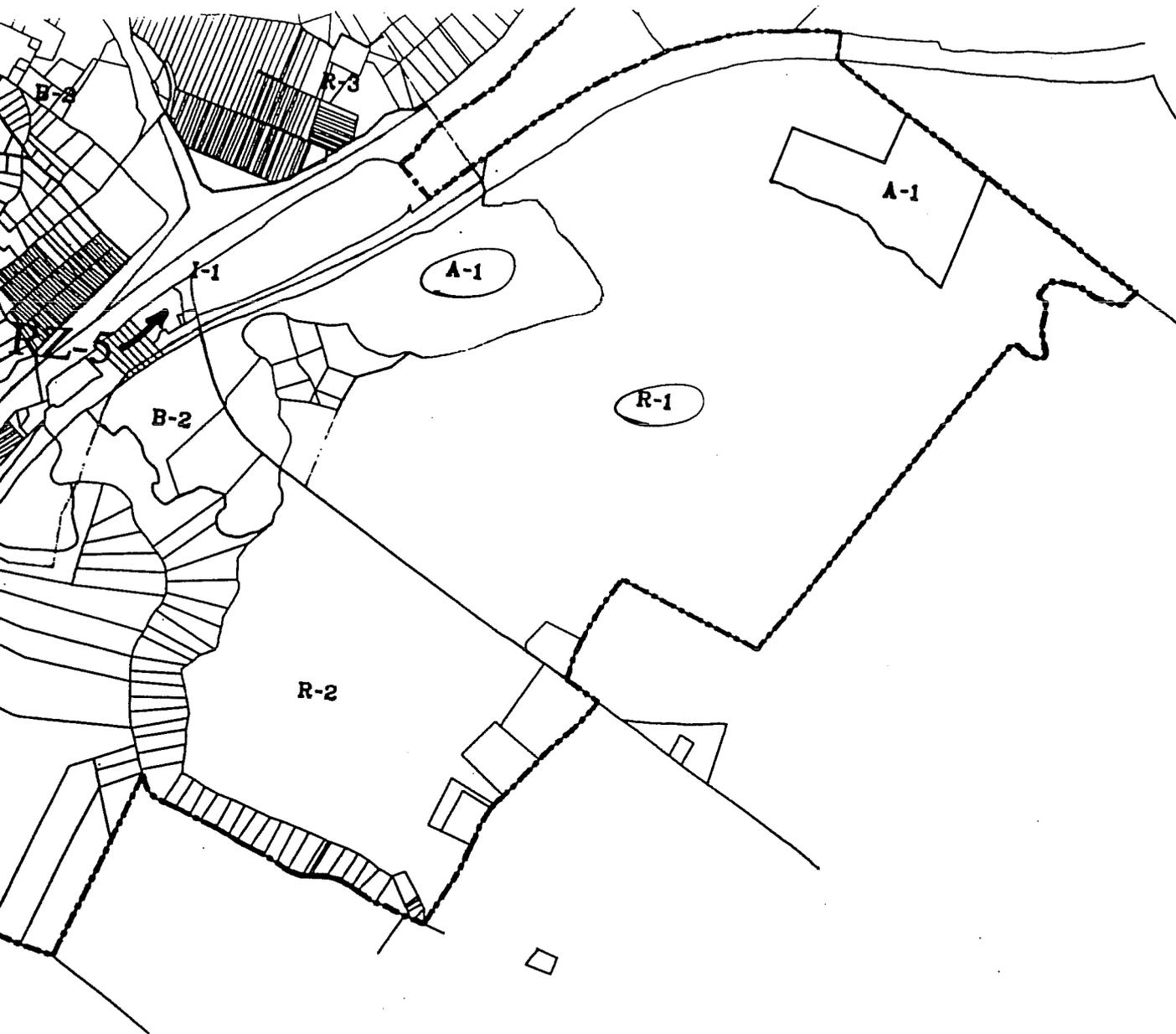
Sec. 18-702.01 Intent of Agricultural Zoning District A-1.
This district is designed to accommodate farming, forestry, and limited residential use. While it is recognized that certain desirable rural areas may logically be expected to develop residentially, it is the intent, however, to discourage the random scattering of residential, commercial or industrial uses in this district.

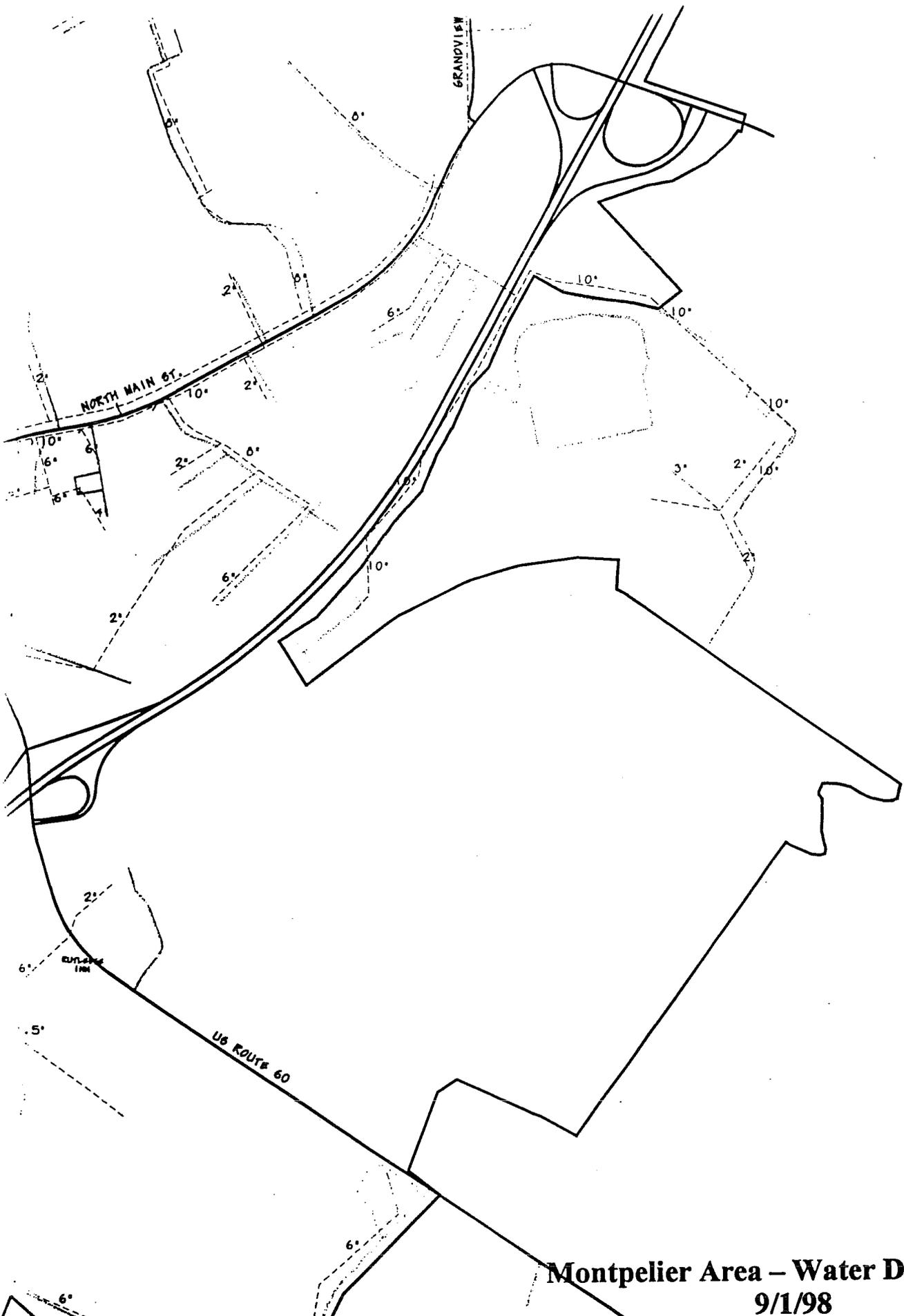
(Enacted September 13, 1993.)

Sec. 18-702.02 Permitted Uses.

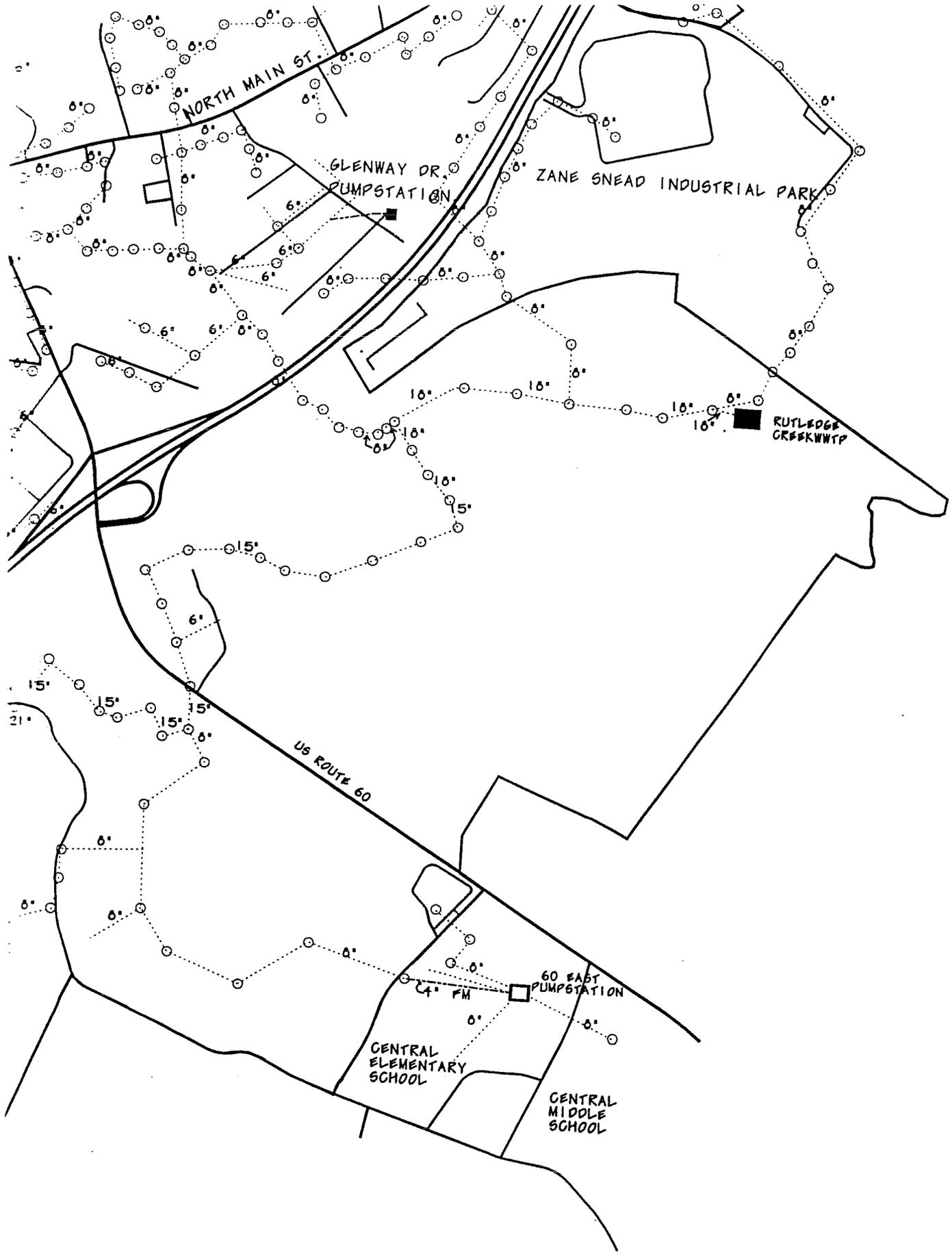
Within the Agricultural District A-1 the following uses are permitted:

1. All uses specified as permitted uses in the General Residential District R-2;
2. Home occupation in an accessory building to the main dwelling unit as provided in Section 905 herein;
3. Individual manufactured or modular homes nineteen (19) feet or greater in width placed on continuous masonry foundations;
4. Packing and distribution plants for horticultural products, provided such plants are incidental to agricultural operation of the property on which such plants are located;
5. Temporary uses including, but not limited to, sale of Christmas trees, tents for revivals, carnivals, but such use not permitted for a period to exceed four (4) months in any calendar year.
6. Bed and Breakfast lodging, provided that the owner and family must occupy the residence and own the business, the single-family dwelling appearance be maintained, off-street parking is provided to the rear of the front setback of the dwelling, and a sign no larger than six (6) square feet be permitted.
7. Golf driving ranges;
8. Nonmotorized bicycle (motorcross) racing facilities;





Montpelier Area – Water Distribution
9/1/98



Montpelier Area – Sewer Collection

0-1-80

**TOWN OF AMHERST
SCHEDULE OF UTILITY RATES AND CHARGES
JULY 1, 1998**

<u>WATER</u>	<u>MONTHLY RATE</u>
Residential Base Charge	\$ 5.00
Use Charge/1000 gallons (Based on metered usage)	\$ 1.30
Residential Debt Repayment Charge	\$ 4.00
<u>SEWER</u>	
Residential Base Charge	\$10.00
Use Charge/1000 gallons (Based on metered water usage)	\$ 1.00
<u>OTHER WATER AND SEWER</u>	
Base charges and debt repayment charges for non-residential water and sewer users will be computed by dividing metered use by 3,000 gallons and then multiplying by the residential charge. This applies to all nonresidential users except for churches that shall be assessed on the same basis as residences. One residential charge shall be assessed for each residential unit.	
<u>GARBAGE</u>	
Residential Base Charge (Assessed to all curbside users)	\$ 5.00
Bags (50 delivered twice annually)	\$ 3.00
<u>SURCHARGES</u>	
The total of the base charge and the use charge will be increased by a factor of 2 for all out of town users.	
<u>SPRINKLERS</u>	
4" Line	\$17.00/month
6" Line	\$28.00/month
8" Line	\$39.00/month
10" Line	\$50.00/month (See policy of 2/10/94)

CONNECTION FEES

For both water and sewer connections, the cost of construction to the Town in making the connection will be assessed to the owner of the property requesting the connection. The estimated connection fee shall be escrowed with the Town or paid in advance if the estimated cost to the Town is in excess of \$500.00. Actual connection to Town lines shall be done by the Town or by contractor following written approval for same by the Town Manager.

AVAILABILITY FEES

Availability fees for water and sewer connections are based on the number of residences to be attached to the Town system. Nonresidential users are assessed based on the equivalent residential capacity of the water meter serving the user's new facility. Connections for users located outside the Town limits, if specifically allowed by the Town Council, will be assessed a surcharge of 100% of the in-town availability fee. All availability fees and surcharges shall be paid in advance of issuance of a zoning permit or connection.

METER

<u>SIZE</u>	<u>WATER</u>	<u>SEWER</u>
5/8"	\$ 700	\$ 1,900 (standard residential service)
3/4"	\$ 1,050	\$ 2,900
1"	\$ 1,750	\$ 4,800
1 1/2"	\$ 3,500	\$ 9,500
2"	\$ 5,600	\$ 15,000
3"	\$12,000	\$ 33,000
4"	\$21,000	\$ 57,000
6"	\$44,000	\$ 119,000

**TOWN OF AMHERST
SCHEDULE OF LOCAL LEVY
JULY 1, 1998**

The following are tax levies for the tax year beginning July 1, 1998.

1. On the \$100.00 of assessed value of taxable real estate, including mobile homes, the rate shall be \$0.07. (June 23, 1994)
2. On purchase of telephones, electricity, and natural gas service, the rate shall be eight (8) percent of the charge made by the Seller to the Purchaser. The maximum charge for residential users is \$1.20 per month. The maximum charge for commercial and industrial users is \$8.00. per month. Mobile telephone service is taxed at a rate of 10% up to \$3.00/month. (PROPOSED June, 1998)
3. On purchase of Transient Lodging, the rate shall be two (2) percent of the total amount paid for lodging. (June 28, 1995)
4. On purchase of a "meal", the rate shall be four (4) percent of the amount paid for meals. (June 13, 1990)

The following are tax levies for the tax year beginning January 1, 1998.

1. On the \$100.00 of assessed value of taxable tangible personal property, including property specifically classified by Section 58.1-3506 and Section 58.1-3507 of the Code of Virginia, the rate shall be \$0.35.
2. On each \$100.00 of bank net capital assessed as provided by law, the rate shall be twenty (20) cents per \$100.00 as authorized by Sections 58.1-1208 and 58.1-1211 of the Code of Virginia.
3. On the \$100.00 of assessed value of machinery and tools used in manufacturing or mining business including property specifically classified by Section 58.1-3506A.6 of the Tax Code of Virginia, the rate shall be \$0.35.
4. The above tax rates shall also be applicable to real and tangible personal property of public service corporations, based upon the assessments generated annually by the State Corporation Commission, and duly certified.

Vehicle Decals:

Automobile	\$25
Motorcycle	\$11
Trailer under 20'	\$ 6
Trailer over 20'	\$13
Transfer	\$ 1
National Guard	1/2 Price

**LETTERS FROM MAYOR,
TOWN OF AMHERST
AND
TOWN MANAGER**



TOWN OF AMHERST

P.O. Box 280 186 S. Main St. Amherst, VA 24521
Phone (804) 946-7885 Fax (804) 946-2087

July 27, 1998

Jonna M. McGraw
Woltz & Associates, Inc.
23 West Franklin Road, SW
Roanoke, Virginia 24011

RE: Montpelier Property

Dear Ms. McGraw:

This is in response to your recent request for a letter articulating the Town's regulations relative to the Montpelier property on the north side of U.S. Route 60 East. I offer the following:

Zoning

The property is zoned R-1 Limited Residential District and A-1. Agricultural District and has been granted zoning approval for a proposed golf course/clubhouse and associated residential development per the enclosed. As you are aware, a new special exception approval and/or rezoning approval will be required for any new or substantially revised mixed-use or commercial/industrial development proposal. Although it would be at the discretion of the Planning Commission and Town Council, I suggest that many of the major utility and traffic issues should be resolved prior to formal application for any such approvals.

Utilities

Plans for the water and sewer systems serving the property need to be developed. In general, the Town will require that any new lines be installed to Town specifications by the developer at the developer's expense. The developer's engineers should propose the major lines from existing Town lines into and/or through the property for Town evaluation. These studies should include the size and location of pipelines, manholes, pumping stations, and other features; the projected timetable for buildout for each phase; and the estimated water and sewer flows needed for each phase of the development.

A major Town concern is the impact of your development on the Town's water and sewer systems. The information you have been asked to supply will aid the Town in its ability to evaluate the impact of a developer's proposal. The need for additional studies will be considered as this issue is resolved.

As a point of reference, I have enclosed a copy of the December 1992 approval document for utility service to the Montpelier property. Although this agreement is no longer valid, it should provide a good starting point for discussions on Town utility service to this part of the Town.

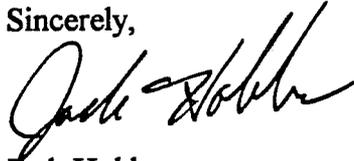
Ms. Jonna M. McGraw
July 27, 1998
Page 2 of 2

Traffic

The size of your proposed development will prompt significant concern about the impact of traffic on U.S. Route 60. I understand that VDOT may require appropriate studies with the thought that a traffic light may be required at the entrance from the Montpelier property onto U.S. Route 60.

Please let me know if you have any other questions or concerns about the Montpelier development.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Hobbs". The signature is fluid and cursive, with a large initial "J" and "H".

Jack Hobbs
Town Manager



TOWN OF AMHERST

P.O. Box 280 186 S. Main St. Amherst, VA 24521
Phone (804) 946-7885 Fax (804) 946-2087

July 29, 1998

Jonna M. McGraw
Woltz & Associates, Inc.
23 West Franklin Road, SW
Roanoke, Virginia 24011

RE: Montpelier Property

Dear Ms. McGraw:

This is to let you know that the residents and business operators in Amherst are excited about the upcoming sale and development of the Montpelier property in the Town of Amherst.

Although the zoning, traffic, and utility issues are major Town concerns, any potential purchaser will notice that the property fronts on U.S. Route 60 near the Town's U.S. Route 29 Bypass. The property is within an hours drive to Lynchburg (via the new Madison Heights Bypass), Lexington and Charlottesville. Vast developable acreage with accessible municipal services makes the Montpelier property some of the most desirable real estate in all of central Virginia.

The opportunities for a high quality development are almost unlimited. Many local individuals have noticed the potential for a commercial/industrial park; others envision a medium to high density residential area. The Town looks forward to a successful development.

So that potential purchasers be able to hear about the Town's strong positive attitude toward the development of this property from local officials, I have scheduled an open meeting in the Town Hall on September 1 at 4:00 PM. I look forward to meeting you and the bidders then and also to the September 19 auction.

Sincerely,

John S. Turner
Mayor

ENVIRODATA REPORT



EnviroData Information Search Results

Summary Sheet

Customer: Draper Aden Associates
 Subject Property: Parcel:
 Address: US Hwy 29 Byp & US Hwy 60
 Amherst, VA 24521-

Report Date: 10/19/98
 Report No. DAA041
 Standard: ASTM Phase I

Federal Databases Searched

Database	File Date	Agency	Search Radius	Mapped	Unmapped	Total
NPL	09/25/98	US EPA Superfund Sites	1.5 Mile	0	0	0
CERCLIS	09/25/98	US EPA Potential Superfund Sites	1.0 Mile	0	0	0
CERCLIS NFRAP	01/21/98	US EPA Potential Superfund Sites	1.0 Mile	0	1	1
RCRIS TSD	08/07/98	US EPA RCRA TSD Facilities	1.5 Mile	0	0	0
RCRIS	08/07/98	US EPA RCRA Generators/Transporters	1.0 Mile	0	3	3
ERNS	08/27/98	US EPA Emergency Response Notification System	1.0 Mile	0	0	0
Sub Total Federal Records				0	4	4

State Databases Searched

Database	File Date	Agency	Search Radius	Mapped	Unmapped	Total
SOLID WASTE	08/13/98	VA DEPT OF ENVIRONMENTAL QUALITY Solid Waste Sites	1.0 Mile	0	6	6
UST	11/08/97	VA DEPT OF ENVIRONMENTAL QUALITY Underground Storage Tanks	1.0 Mile	8	17	25
LUST/LAST	05/28/98	VA DEPT OF ENVIRONMENTAL QUALITY Leaking Underground Storage Tanks	1.0 Mile	3	4	7
VRP SITES	04/06/98	VA DEPT OF ENVIRONMENTAL QUALITY Virginia Voluntary Remediation Program	1.5 Mile	0	2	2
PREP NOTICES	01/11/95	VA DEPT OF ENVIRONMENTAL QUALITY Pollution Complaints	1.0 Mile	0	0	0
Sub Total State Records				11	29	40

Glossary:

ASTM:	American Society of Testing and Materials
CERCLIS:	Comprehensive Environmental Response Compensation and Liability Information System
ERNS:	Emergency Response Notification System
NPL:	National Priorities List
LUST/LAST:	Registered Incidents of Leaks or Releases from Above or Underground Storage Tanks
PC Notice:	Pollution Complaints registered with the state reflecting releases of hazardous material to the ground or water
RCRIS:	Resource Conservation and Recovery Information System - Generators and TSD (treatment, storage, and disposal) Facilities
VRP:	Voluntary Remediation Program
Unmappable:	A site which cannot be geocoded (i.e., located by longitude and latitude) because of inadequate government address information.

Limitations:

The scope of this report is defined by the ASTM Phase I Environmental Site Assessment Process E1527-97. The Client proceeds at its own risk in relying on the use of Government data in whole or in part for any transaction. EnviroData assumes no responsibility for the completeness or accuracy of Government information; information provided by others; or for errors resulting from data conversion or enhancement. EnviroData's obligation regarding such data products is solely limited to providing portions of existing Government data as of the date of each update received. No other warranty, expressed or implied, is made. EnviroData products are intended for the specified use of the Client and shall not be used for other purposes. EnviroData has relied upon the accuracy of the information provided by the Client on the Order Form. By signing the Order Form, the Client assumes responsibility for payment of any and all fees associated with the preparation and delivery of the products and services requested.



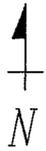
EnviroData

Report No. DAA041a
Subject Site:
Amherst, VA
1.0 Mile Search Radius

Map Contents

- * UST
- ▲ LUST
- ▽ Solid Waste

Legend:



- ★ Subject Property
- ==== Primary Roads
- ===== Secondary Roads
- == Other Trails
- - - Water Features

- ++++ Rail Features
- o-o Powerlines
- - - Pipelines
- Miscellaneous Features



Map Scale



LUST/LAST Incidents

Map Ref. #	Complaint Number	Date Reported	Location/ Complaint Description	Dir. - Dist. (mi.)
1	92-1851	04/06/92	US Hwy 29 BUS & State Hwy 60, Amherst Co., VA Five Oaks Chevron (Watts Pet.) thick sheen of petroleum on pond off Rt. 60, Amherst; source unknown; samples taken Waterbody Affected: Not Specified Responsible Party: Not Specified	NW - 0.71 UST ID: 2-012098 STATUS:OPEN
2	93-2087	04/20/93	US Hwy 29 Bus & State Hwy 60, Amherst Co., VA Par-Bil's Food Store UST Par-Bil's food Store, Rt. 60 & Business Rt. 29 Waterbody Affected: Not Specified Responsible Party: Not Specified	NW - 0.72 UST ID: 2-011900 STATUS:CLOSED
3	92-1851A	/ /	BUS.RT. 29, AMHERST, VA PAR-BIL'S (CANDLER OIL) LUST Waterbody Affected: Not Specified Responsible Party: Not Specified	NW - 0.72 UST ID: 2-012098 STATUS:OPEN

Virginia UST Facilities
 (With Detailed Tank Information)

Map Ref. #	Facility Id.	Facility Location	Tank Id.	Status	Product	Listed Capacity	Year Installed	Material	Dir. - Dist. (mi.)
4	2-025663	CONTEL OF VIRGINIA 200 SECOND ST. AMHERST VA 24521	# 1	Removed	Gasoline	0	Unknown Age:	Steel	NW 0.46
5	2-005872	HILL HARDWARE CORP 400 MAIN ST. AMHERST VA 24521	# 1	In Use	Not Specified	11000	04/22/61 Age: 38	Steel	NW 0.64
			# 2	In Use	Heating Oil	11000	04/22/61 Age: 38	Steel	
			# 3	In Use	Heating Oil	12000	04/22/76 Age: 23	Steel	
6	2-011900	PAR-BILS FOOD STORE RT 29 BUS & 60 W-TRAFFIC CIRCLE AMHERST VA 24521	# 1	In Use	Gasoline	8000	12/14/86 Age: 12	Cathodic Protected	NW 0.72
			# 2	In Use	Gasoline	8000	12/14/86 Age: 12	Cathodic Protected	
			# 3	In Use	Gasoline	6000	12/14/86 Age: 12	Cathodic Protected	
			# 4	In Use	Not Specified	4000	12/14/86 Age: 12	Cathodic Protected	
			# 5	In Use	Not Specified	1000	12/14/86 Age: 12	Cathodic Protected	
7	2-012098	CROSSROADS CHEVRON RT. 29 & RT. 60 AMHERST VA 24521	# 1	In Use	Gasoline	8000	03/01/91 Age: 8	Cathodic Protected	NW 0.70
			# 2	In Use	Gasoline	8000	03/01/91 Age: 8	Cathodic Protected	

Virginia UST Facilities
 (With Detailed Tank Information)

Facility #	Facility Id.	Facility Location	Tank Id.	Status	Product	Listed Capacity	Year Installed	Material	Dir. - Dist. (mi.)
		CROSSROADS CHEVRON RT. 29 & RT. 60 AMHERST VA 24521	# 3	In Use	Gasoline	8000	03/01/91 Age: 8	Cathodic Protected	
			# 4	In Use	Not Specified	4000	03/01/91 Age: 8	Cathodic Protected	
			# R1	Removed	Not Specified	2000	04/24/51 Age: 48	Steel	
			# R2	Removed	Gasoline	2000	04/23/52 Age: 47	Steel	
			# R3	Removed	Gasoline	2000	04/23/52 Age: 47	Steel	
			# R4	Removed	Gasoline	2000	04/23/52 Age: 47	Steel	
			# R5	Removed	Gasoline	2000	04/23/52 Age: 47	Steel	
			# R6	Removed	Gasoline	2000	04/23/52 Age: 47	Steel	
			# R7	Removed	Gasoline	3000	04/24/59 Age: 40	Steel	
			# R8	Removed	Gasoline	2000	04/24/79 Age: 20	Steel	
8 2-017819	GEORGE E. JONES & SONS; INC	MAIN STREET AMHERST VA 24521	# R1	Removed	Gasoline	1000	05/08/79 Age: 19	Steel	NW 0.75

Record of LUST/LAST Incidents
Unmapped Sites

Zip Code	Complaint #/ Description	Date Recorded	Waterbody	Responsible Party
	96-1015 Dogwood Exxon US Hwy 29 & State Hwy 121	/ /	Not Specified	Not Specified
	LUST STATUS: CLOSED Facility Id: 2-011906			
	96-1030 Sweet Briar College US Hwy 29	/ /	Not Specified	Not Specified
	LUST STATUS: CLOSED Facility Id: 2-021845			
	96-1090 OLD DOMINION JOB CORE UNKNOWN	/ /	Not Specified	Not Specified
	LUST STATUS: CLOSED Facility Id: 2-003318			
24521	94-2855 VDOT US Hwy 29 UST	03/15/94	Not Specified	Not Specified
	Amherst Residency Shop, Rt. 29 business STATUS: CLOSED Facility Id: 2-019585			

Virginia UST Facilities

(Unmapped Facilities -- With Detailed Tank Information)

Facility Id.	Facility Location	Tank Id.	Status	Product	Listed Capacity	Year Installed	Material
2-001299	AMHERST MOTORS INC U.S. 29 AMHERST VA 24521	# 1	Removed	Gasoline	1000	03/22/75 Age:	Steel
		# 2	Removed	Gasoline	1000	03/22/75 Age:	Steel
		# 3	Removed	Used Oil	550	03/22/75 Age:	Steel
2-001743	BEST BET MINI MART ROUTE 29 NORTH AMHERST VA 24521	# 1	In Use	Gasoline	10000	07/01/94 Age: 4	Steel with Fiberglass
		# 2	In Use	Gasoline	8000	07/01/94 Age: 4	Steel with Fiberglass
		# 3	In Use	Not Specified	8000	07/01/94 Age: 4	Steel with Fiberglass
		# 5	In Use	Not Specified	550	04/08/72 Age: 27	Steel
		# R1	Removed	Gasoline	20000	04/08/74 Age:	Steel
2-003917	AUBREY F FAULCONER & SONS INC RT. 2 AMHERST VA 24521	# R2	Removed	Gasoline	8000	04/08/72 Age:	Steel
		# R3	Removed	Gasoline	8000	04/08/72 Age:	Steel
		# R4	Removed	Not Specified	4000	04/08/72 Age:	Steel
		# 1	In Use	Gasoline	500	04/18/76 Age: 23	Steel

Virginia UST Facilities

(Unmapped Facilities -- With Detailed Tank Information)

Facility Id.	Facility Location	Tank Id.	Status	Product	Listed Capacity	Year Installed	Material
2-004127	MAYS FARMER SERVICE CO BOX 389 AMHERST VA 24521	# 1	In Use	Not Specified	0	Unknown Age:	Steel
		# 2	In Use	Not Specified	500	Unknown Age:	Unknown
		# 3	In Use	Gasoline	1000	Unknown Age:	Unknown
2-004631	GREGORYS GENERAL AUTO REPAIR RT 5, BOX 179 AMHERST VA 24521	# 1	In Use	Gasoline	550	03/20/71 Age: 28	Steel
		# 2	In Use	Used Oil	550	03/19/85 Age: 14	Steel
2-006310	SELVAGE ELLA D P.O. BOX 67 AMHERST VA 24521	# 1	In Use	Not Specified	350	04/22/61 Age: 38	Steel
		# 1	In Use	Gasoline	8000	05/05/81 Age: 17	Steel
2-012041	DIXIE GROCERY HWY. 60 E. AMHERST VA 24521	# 2	In Use	Gasoline	4000	05/05/81 Age: 17	Steel
		# 3	In Use	Gasoline	3000	05/05/78 Age: 20	Steel
		# 4	In Use	Not Specified	1000	05/05/81 Age: 17	Steel
		# 1	In Use	Gasoline	2000	04/23/57 Age: 42	Steel
2-012084	T&W SERVICE STATION RT. 29 AMHERST VA 24521	# 2	In Use	Gasoline	2000	04/23/57 Age: 42	Steel

Virginia UST Facilities
 (Unmapped Facilities -- With Detailed Tank Information)

Facility Id.	Facility Location	Tank Id.	Status	Product	Listed Capacity	Year Installed	Material
2-012883	T&W SERVICE STATION RT. 29 AMHERST VA 24521	# 3	In Use	Gasoline	3000	04/23/57 Age: 42	Steel
		# 4	In Use	Not Specified	550	04/23/78 Age: 21	Steel
2-012883	BOBS MARKET RT. 2 BOX 73A AMHERST VA 24521	# 1	In Use	Gasoline	8000	04/25/78 Age: 20	Steel
		# 2	In Use	Gasoline	8000	04/25/78 Age: 20	Steel
		# 3	In Use	Gasoline	6000	04/25/78 Age: 20	Steel
2-016433	FITZGERALD EDGAR F RT. 1; BOX 188 AMHERST VA 24521	# 1	In Use	Not Specified	1000	05/08/71 Age: 27	Steel
		# 2	In Use	Gasoline	1000	05/08/71 Age: 27	Steel
2-017822	E L JORDAN ESTATE AMHERST VA 24521	# 1R	Removed	Gasoline	1000	05/07/78 Age:	Steel
		# 3R	Removed	Not Specified	1000	03/24/82 Age:	Steel
2-019585	AMHERST RESIDENCY SHOP ROUTE 29 AMHERST VA 24521	# R1	Removed	Gasoline	4000	03/24/80 Age:	Steel
		# R2	Removed	Not Specified	2000	03/24/80 Age:	Steel
2-019912	ROCH EXECAVATORS ROUTE 60 WEST AMHERST VA 24521	# 1		Gasoline	4000	05/08/76 Age: 22	Steel

Virginia UST Facilities
 (Unmapped Facilities -- With Detailed Tank Information)

Facility Id.	Facility Location	Tank Id.	Status	Product	Listed Capacity	Year Installed	Material
-021464	AMHERST DRY CLEANERS INC BUS. 29 S. AMHERST VA 24521	# 1		Gasoline	500	05/29/41 Age: 57	Steel
		# 2		Gasoline	500	05/29/41 Age: 57	Steel
		# 3		Gasoline	1000	05/29/41 Age: 57	Steel
-021475	WILKINS CONST CO INC RT. 1 AMHERST VA 24521	# 1		Gasoline	5000	05/29/66 Age: 32	Steel
-021557	DODDS FORD COUNTRY EMPORIUM S.R. 1; BOX 198 A AMHERST VA 24521	# 1	In Use	Gasoline	0	Unknown Age:	Cathodic Protected
		# 2	In Use	Gasoline	0	Unknown Age:	Cathodic Protected
		# 3	In Use	Gasoline	0	Unknown Age:	Cathodic Protected
		# 4	In Use	Not Specified	0	Unknown Age:	Cathodic Protected
-022939	FORES GROCERY US 60 EAST AMHERST VA 24521	# R1	Removed	Gasoline	3000	09/24/83 Age:	Steel
		# R2	Removed	Gasoline	3000	09/24/83 Age:	Steel
		# R4	Removed	Not Specified	3000	09/24/83 Age:	Steel

Virginia Solid Waste Sites
(Unmapped Sites by Zip or FIPS Code)

Zip Code / FIPS	State Permit No.	Site Name Location	Type	FACILITY:	
	State ID No. Permit Date			Status	Size in Acres
009	000051	THOMAS SITE-AMHERST CO Location: PO BOX 390, AMHERST	S	Closed	0.00
	000181	COUNTY OF AMHERST Location: P.O. BOX 1559, AMHERST	S	Closed	90.00
	000467	GRIFFIN PIPE LF Location: PO BOX 740, LYNCHBURG	I	Closed	15.00
	000536	VIRGINIA FIBRE Location: PO BOX 339, AMHERST	I	Active	19.30
	000549	GEORGIA PACIFIC INDUSTRIAL WASTE LANDFILL Location: P.O. BOX 40, BIG ISLAND	I	Active	79.00
	00205*	DEAN, JOHN C., DDS Location: COURT STREET, AMHERST	K	Other	0.00

Key to Type Codes: S - Sanitary Landfill T - Transfer Station B - Boiler/Incinerator/RDF Plant ERF - Energy Recovery Facility
 I - Industrial Landfill O - Others G - Gas Management Facility YWC - Yard Waste Compost
 D - Debris Landfill E - Experimental Facility TS - Transfer Station Q - Emergency Permit
 C - Compost Facility R - Materials Recovery Facility M or MED - Medical Waste Facility L - Incineration & Steam Sterilization

CERCLIS No Further Action (NFRAP)
(Unmapped Sites)

Site Information:

Zip Code	EPA ID #	Site Category	NPL Status	Name and Address	Event and Description	Assessment Activity	Completed	Scheduled
24521	VAD988221818	No		AMHERST DRUM DISPOSAL AREA END ST. RT 733 FALCONERVILLE VA 24521	DRUMS UNEARTHED BY HEAVY EQUIPMENT ENGAGED IN LE OPERATIONS. DRUMS WERE ISOLATED IN BERMED AREA PLACED IN OVERPACK DRUMS AND COVERED WITH PLASTIC.			
						DISCOVERY (DS1)	10//2/0/92	/ /
						PRELIMINARY ASSESSMENT (PA1)	05//2/3/94	01//0/1/93

Site Category Codes:	A - Abandoned	H - Housing Area/Farm	O - Other	NPL Status Codes:	D - Deleted from the NPL
(Blank = No entry)	B - Chemical Plant	I - Indust. Waste Treatment	P - Pure Lagoons	(Blank = No entry)	F - Currently on the final NPL
	C - City Contamination	J - Inorganic Waste	R - Radioactive Site		N - Not (was not) on the NPL
	D - Dioxin	L - Landfill	T - Mines/Tailings		O - Not a valid site or incident
	F - Federal Facility	M - Manufacturing Plant	V - Waterways/Creeks/Rivers		
	G - Groundwater	N - Military Related	W - Wells		

RCRIS - Non TSD Facilities by Zip Code
(Unmapped Facilities)

Gen. Trans-
Class porter
EPA ID
24521 VAD023636608 B

RCRA
Violations and
Non-Compliance Codes
Dir. Dist.(mi)

AMHERST MOTORS INC
RT 29N
AMHERST VA 24521
CONTACT: BERTRAM LIMBRICK: SER MGR Phone:

RCRA Requirements:
Handler is not subject to corrective action
RCRA Update Source: * Notification

BROCKMAN CHEVROLET INC
RT 29 BUSINESS PO BOX 220
CONTACT: JOHN BROCKMAN: VP Phone: 8049467721

RCRA Requirements:
Handler is not subject to corrective action
RCRA Update Source: * Notification

VA DEPT OF TRANSPORTATION
BUS RTE 29
CONTACT: R. CALDWELL: R. RES MEC Phone: 8049472160

RCRA Requirements:
Handler is not subject to corrective action
RCRA Update Source: * Notification

EnviroData Generator Codes:
A - Large Quantity Generator
B - Small Quantity Generator
C - Conditionally Exempt Small Quantity Generator

Violations Codes:
1 - Bankrupt
2 - Significant Non-Complier at the Beginning of the Fiscal Year
3 - One or More Significant Non-Complier Violations

Va. Voluntary Remediation Program
 Unmapped Sites by FIPS COUNTY CODE

FIPS Code	VRP Number	Site Name, Address, and VRP Status
009	VRP00003	Amherst County Drum Removal (Archive File Box #1) Address Not Provided, Amherst, VA VRP Status No Longer Tracked/Referred to CERCLA from SCP: Next Step Notes SCP 11/91 Notes: Alleged drum disposal of titanium tetrachloride during 1950s60s. Referred to CERCLA Region III Site Assessment. (check Superfund listings)
	VRP00051	Virginia Fibers Address Not Provided, Amherst, VA VRP Status No Longer Tracked/Referred to VWCB from SCP: Next Step Notes SCP 11/91 Notes: Referred to VWCB. NFA.

APPENDIX 3
SITE RECONNAISSANCE

APPENDIX 3

SITE RECONNAISSANCE

1.0 INTRODUCTION

On October 19, 1998, Draper Aden Associates personnel visited the subject site in order to locate surficial evidence of hazardous or otherwise regulated substances.

Observations made during the site reconnaissance are discussed in this section. Photographs taken during the site reconnaissance are presented at the end of this appendix.

2.0 OBSERVATIONS

2.1 General Description

The subject property is the proposed site of the Town of Amherst Industrial Park (referenced herein as "the Property") and is also known as the "Montpelier Property." The Property consists of approximately 317 acres and is located in the eastern portion of the Town of Amherst. Areas within the Property are zoned A-1 (Agricultural) and R-1 (Residential).

The property has been described as consisting of 5 tracts:

- Tract 1A (74.129 acres) fronts US Route 60 and is located entirely south of Rutledge Creek. Most of Tract 1A consists of pasture.
- Tract 1B (209.694 acres) represents most of the interior portion of the Property. A small amount of frontage along US Route 60 permits access to both Tract 1B and Tract 1A. A relatively small portion of Tract 1B is located north of Rutledge Creek, to both the east and west of the sewage treatment plant.

For convenience, we refer to that portion of Tract 1B as the "trans-Rutledge" portion of the tract. About half of Tract 1B (the south and central portions) consists of pasture; the remainder consists of various stages of forest succession.

- Tract 2 (31.76 acres) is located entirely north and west of Rutledge Creek. The north end of Tract 2 is separated from the southwest end of "trans-Rutledge" Tract 1B by a significant (but unnamed) stream.
- Tract 3 (0.915 acre) fronts US Route 60 and consists of pasture.
- Tract 4 (1.135 acre) fronts US Route 60, is east of Tract 3, and also consists of pasture.

2.2 Adjoining Properties

The site is bounded by wooded Westvaco property to the southeast.

The Property is bounded by U S Route 60 along the southwestern side beyond which reside agricultural lands, a subdivision, an apartment complex, and two public schools. A small subdivision occupies the Property's westernmost corner.

Norfolk Southern Railroad bounds the northwestern side of the Property beyond which several industrial facilities reside.

The Town of Amherst Rutledge Creek Waste Water Treatment Plant is located along the north bank of Rutledge Creek and separates the west "trans-Rutledge" portion of Tract 1B from the east "trans-Rutledge" portion of Tract 1B.

2.3 Telephone Service

A telephone junction box was observed near the south end of Tract 1B, along the dirt road shown as "existing access road to cemetery."

A major cross-country telephone cable appears to follow the eastern boundary of Tract 1B (and is also shown on the USGS 7.5 minute quadrangle).

2.4 Electric Service / Transformers

An above-ground power line was observed to traverse Tract 1B in a generally north-northeast to south-southwest direction. Transformers were observed on two power poles:

- APCO pole 1068-118. Bearing blue sticker indicating that transformer was "Filled at time of manufacture with non-PCB (less than 1 ppm) dielectric fluid." Marked "15."
- APCO pole 1068-119. Dark gray-black transformer, partially rusted but without conspicuous signs of leakage. Marked "2286 3 KVA" on base.

2.5 Storage Tanks

No evidence of either aboveground or underground storage tanks was observed at the site.

2.6 Structures

House. A cinder block house with sheet-metal roof was observed toward the east side of Tract 1B. The house consists of two rooms. A central chimney, also constructed of cinder block, serves both rooms. Miscellaneous debris partially covered the floor, including a 5-gallon bucket labeled “**Tractor Fluid.**” (Refer to photographs at end of this appendix.)

Recommendation: Assess the “house” for the presence of **asbestos**-containing materials prior to demolition.

Shed. A small wood frame shed lay in ruins to the immediate east of the house. A small amount of rusted sheet metal debris was observed within the footprint of the shed.

Outhouse. A wood frame outhouse lay in partial ruins to the immediate northeast of the house. No significant amount of debris was observed within the outhouse; however, numerous pieces of PVC pipe were observed to be scattered about the ground in the vicinity of the outhouse. (Refer to photographs at end of this appendix.)

Barn. A wood frame barn was observed to the west of the house. The barn is divided into two sections: a partially open area at the north end (presumably intended for storage of farm equipment) and a smaller room at the south end. (Refer to photographs at end of this appendix.)

A partial inventory of items observed within the south room is presented below:

- 1 can spray **enamel** (“Rust Curb”)
- 1 can industrial **enamel** (“Western”)
- 1 can spray **lubricant** (“CRC 5-56”)
- 2 5-gallon buckets labeled “**D-Chlor**” - containing product consisting of 91.5% sodium sulfite (CAS number 7757-83-7)
- 1 **gasoline** can (on work bench)
- 3 lead-acid vehicle **batteries** (2 on bench, 1 on floor)
- 2 vehicle tires

A partial inventory of items observed within the north end of the barn is presented below:

- rolls of hay (> 8)
- spent shotgun shells (> 100)
- 5-gallon buckets (2 labeled = “**Quaker State**” + “**Valvoline**” + 5 unlabeled)
- **motor oil** containers (1 quart, plastic – generally empty)
- 3 lead-acid vehicle **batteries**
- 3 small steel **drums** (2 labeled “Esso XP Compound SAE 140”)

- 2 vehicle mufflers
- 2 vehicle tires
- misc lumber
- 1 engine block

The 5-gallon buckets appeared to have been used to store waste petroleum products. **Soils in three areas, either underlying or adjacent to the 5-gallon buckets, appeared to be saturated or nearly saturated with petroleum hydrocarbons.** (Refer to photographs at end of this appendix.)

2.7 Miscellaneous Debris

Other than the items observed within the house and barn, very little debris was observed around the site. An inventory of observed debris is presented below:

- wood frame stand (west end of tennis court – described below)
- debris pile (10 wood pallets, 1 vehicle tire, plastic drain pipe) (just west of tennis court)
- 55-gallon drum (labeled “SAE 10W”, empty, about 100 meters west of tennis court)
- automobile bodies (2) (west corner of Parcel 2)

2.8 Cemeteries

The plat prepared by Hurt & Proffitt (FIGURE 2, herein) indicates that three cemeteries are located on Tract 1A:

- *Leith Cemetery.* The Leith Cemetery was found to be delineated by several iron posts. Two headstones were observed: Kenneth Leith + Miriam Arey Leith Richeson. (Refer to photographs at end of this appendix.)
- *Slave cemetery.* Physical evidence of the slave cemetery was not observed.
- *Maher cemetery.* Physical evidence of the Maher cemetery was not observed. An overgrown tennis court, having approximate dimensions of 120'x120', was observed in the general area shown on the plat as being site of the Maher cemetery. Use of this area as a tennis court was evidenced by: remnants of a tennis net support cable, a tennis ball, and fragments of one or more tennis rackets.

The plat prepared by Hurt & Proffitt (FIGURE 2, herein) also indicates that a cemetery of unknown origin is located near the center of Tract 1B. A conspicuous hummock was observed in this area; however, surficial physical evidence that the hummock is a burial site was not observed.

2.9 Wetlands

Rutledge Creek and the channeled portions of all tributaries to Rutledge Creek (whether intermittent or perennial) represent Waters of the United States and are, therefore, subject to regulation by the U.S. Army Corps of Engineers pursuant to the Clean Water Act.

Rutledge Creek is associated with a conspicuous physiographic floodplain which, along most of its observed length, is sufficiently elevated above the water table to preclude the development of hydrophytic vegetation. Conversely, minor jurisdictional wetlands appear to be associated with the confluences of Rutledge Creek and two significant (but unnamed) perennial streams along the north bank of Rutledge Creek in the northwestern “trans-Rutledge” portion of Tract 1B.

A small pond is located near the center of Tract 2 (FIGURE 1). The impoundment and selected areas downstream of the dam appear to represent jurisdictional wetlands.

Recommendation. Delineate jurisdictional wetlands along the significant drainages prior to developing a master plan for the park.

A sewer line was observed along the north bank of Rutledge Creek (that is, along the “trans-Rutledge” portion of Tract 1B). At several locations, pipes have been placed within the channels of unnamed tributaries of Rutledge Creek and filled with concrete debris and soil in order to provide a roadway along the utility easement, presumably to permit maintenance work. Each such stream crossing represents filling of Waters of the United States; however, the Corps of Engineers typically approves such utility-related activities in accordance with the requirements for one or more “Nationwide” permits.

2.10 Summary

Soils contaminated by what appear to be petroleum hydrocarbons were observed within the barn that is located on Tract 2B. In addition, the haphazard disposition of lead-acid batteries in the same area suggests a significant potential for discharge of acidic fluids high in lead content to those soils. It is likely that the conditions observed within the barn represent the kind of promiscuous dumping that is – or was – typical of many farm operations. Conversely, the extent of soil contamination and the potential for groundwater contamination cannot be assessed in the absence of sampling and chemical analysis.

Recommendation. Advance hand-auger borings within the two areas that appear to represent the highest level of soil contamination in order to help determine the vertical extent of such contamination. Select two samples from each borehole. Form two composite soil samples from the four sub-samples and have them analyzed for total petroleum hydrocarbons (as diesel-range organics) and lead.

PHOTOGRAPHS:
GENERAL CONDITIONS



2 - Panoramic series - continuing to east. View north-northwest.



1 - Amherst. Montpelier Property. Panoramic series. View northwest. (10-19-98)



4 - Panoramic series - continuing to east. View northeast. Cinderblock house.



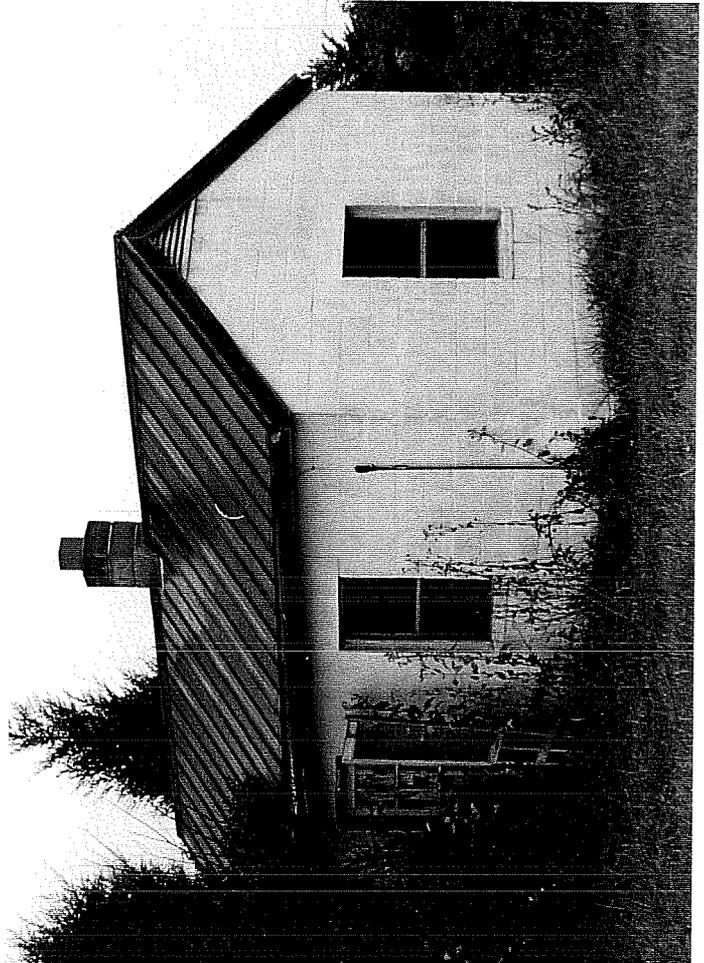
3 - Panoramic series - continuing to east. View north-northeast. Barn.



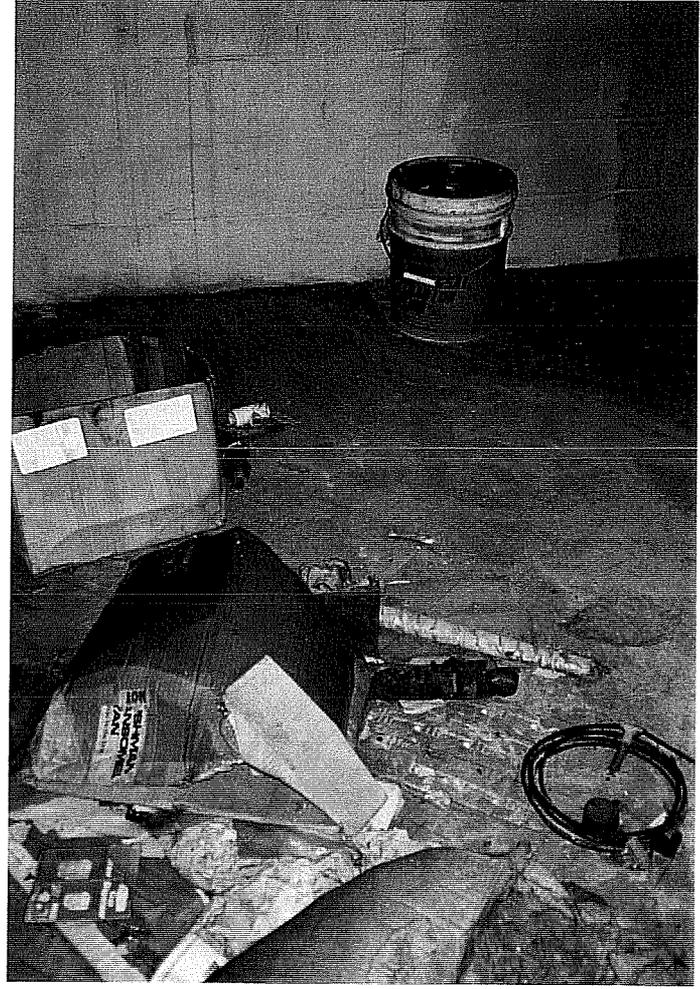
5 - Kenneth Leith. July 10, 1902. June 10, 1942. (10-19-98)



6 - Miriam Arey Leith Richeson. December 14, 1900. January 31, 1985.



7 - Cinder block house, sheet metal roof, block chimney.



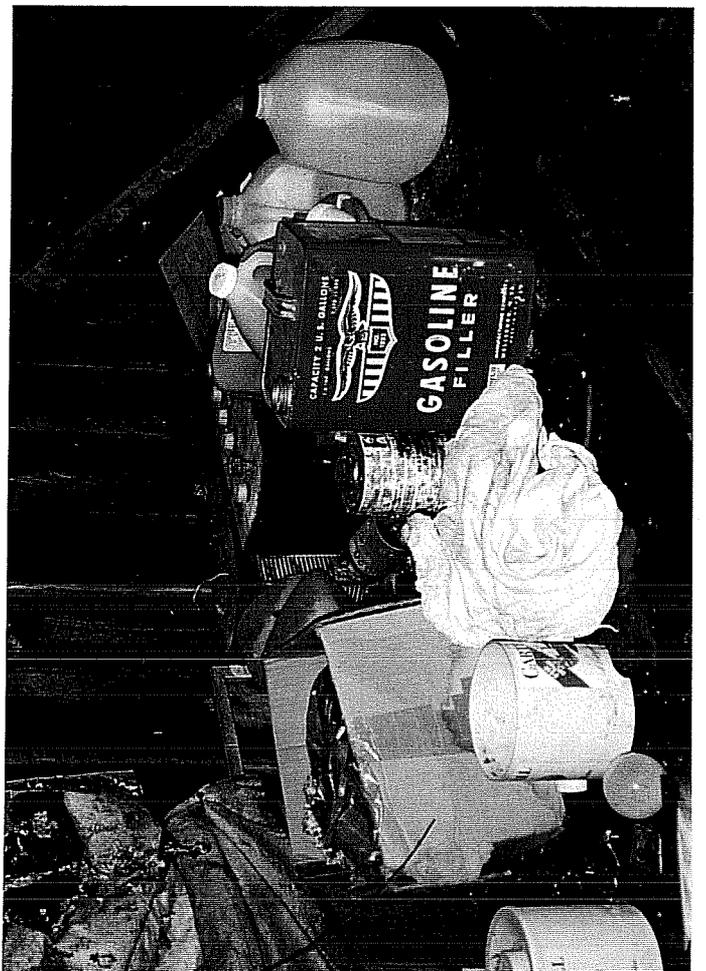
8 - Cinder block house. Interior view. South room. Tractor fluid.



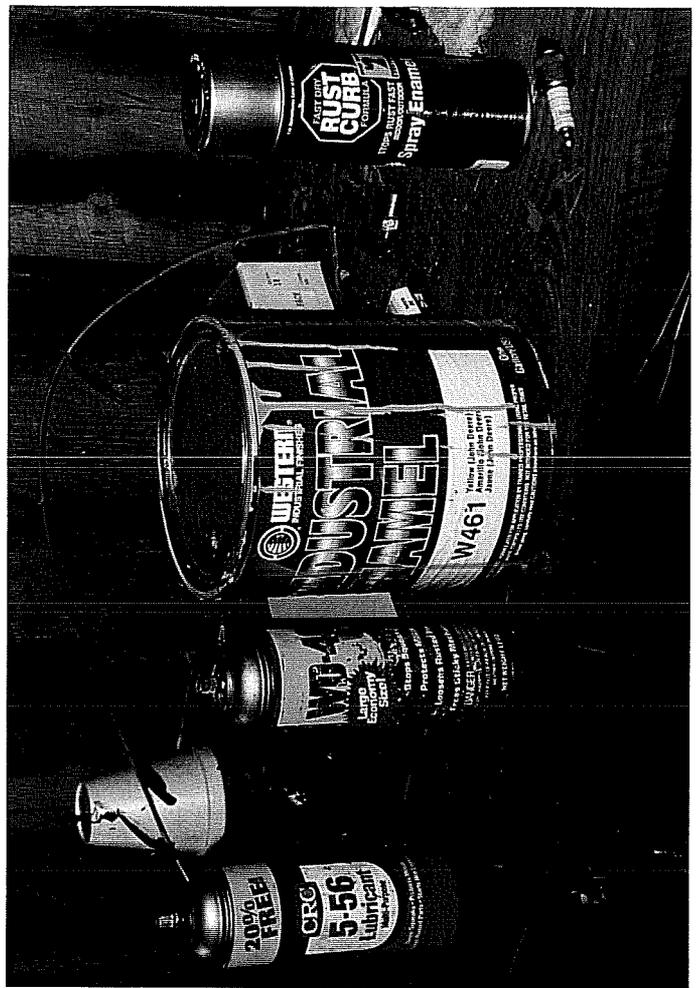
9 - Barn. Tract 1B. View toward east. (10-19-98)



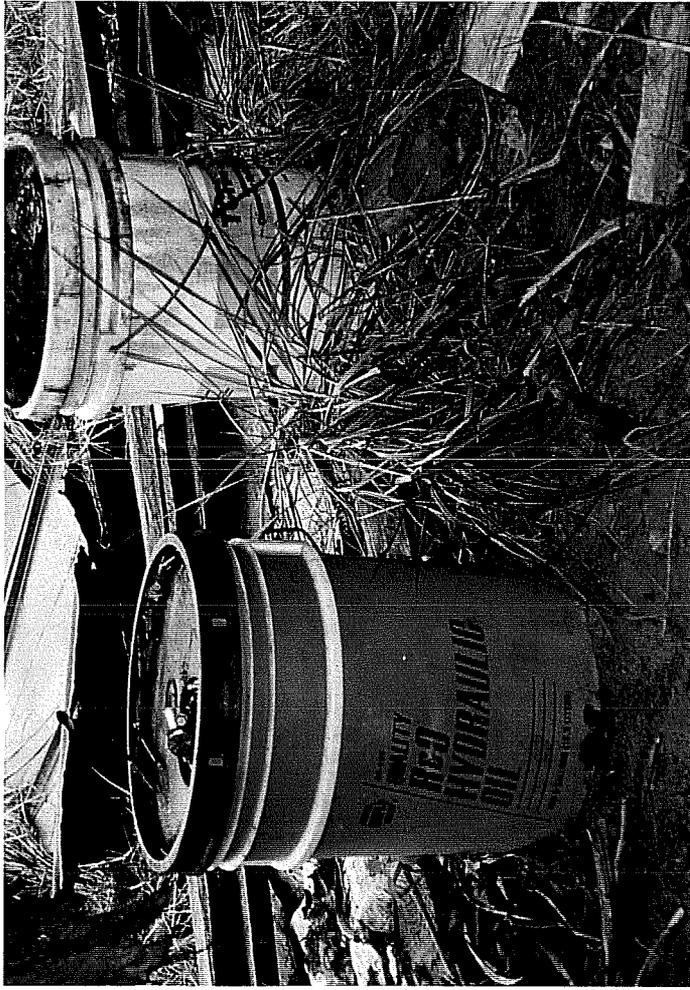
10 - Barn. Motor oil containers.



11 - Barn. Gasoline container. Lead-acid batteries.



12 - Barn. CRC 5-56 lubricant. WD-40 solvent. Western enamel. Rust Curb enamel.



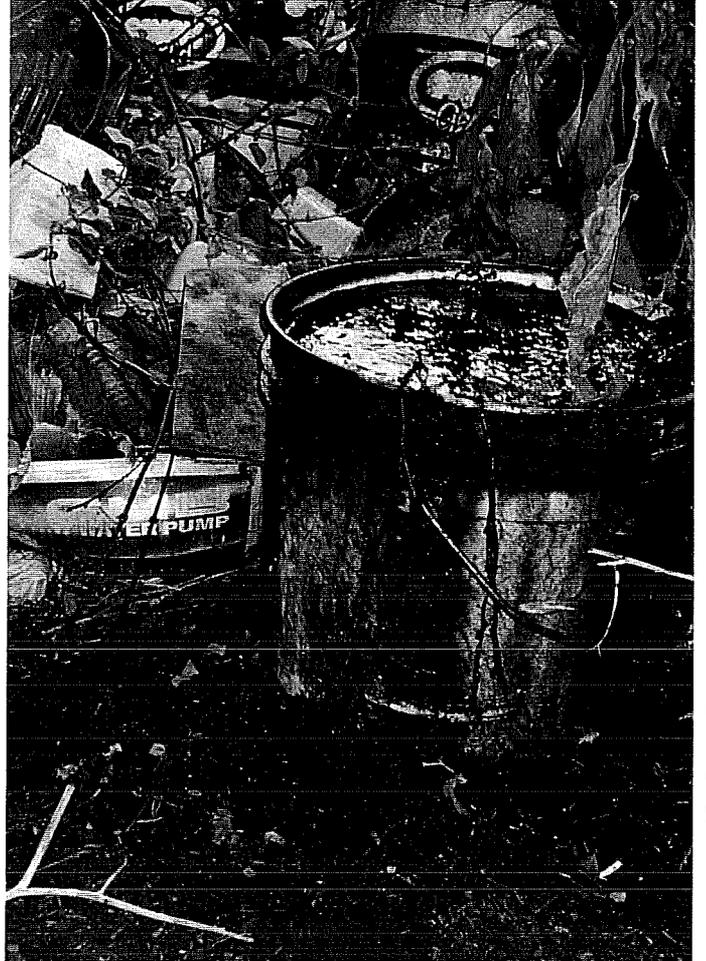
14 - Barn. 5-gallon bucket: hydraulic oil.



16 - Barn. Small drum: ESSO XP Compound. S.A.E. 140.



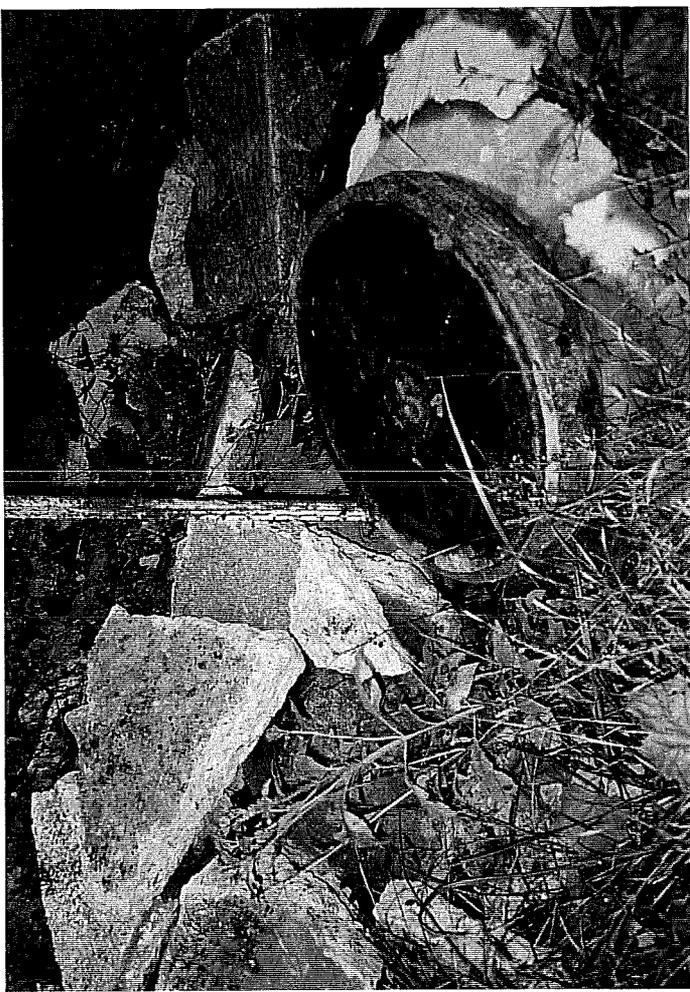
13- Barn. Lead-acid battery. Welding rod container. (10-19-98)



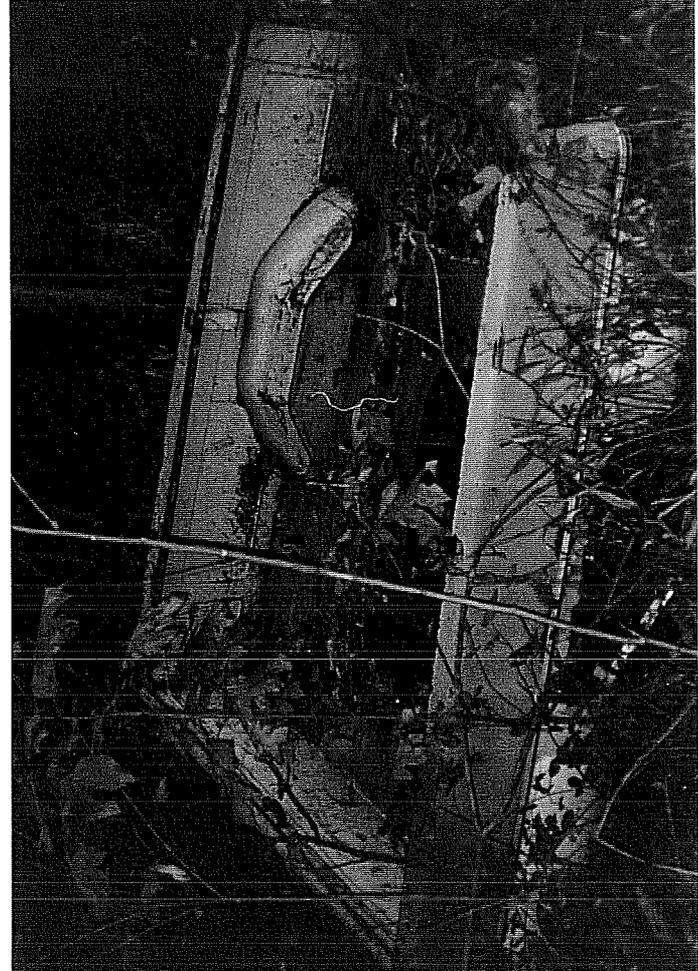
15 - Barn. 5-gallon bucket: waste petroleum product. Contaminated soils.



17- Tract 1B. North bank of Rutledge Creek. Concrete debris at sewer line crossing.



18 - North bank of Rutledge Creek. Concrete debris. (10-19-98)



19 - Westernmost end of Tract 2. Discarded bed of pickup truck.



20 - Small pond near center of Tract 2.