

ERAS
Environmental

Phone: (209) 965-4640
FAX: (209) 965-4641
email: gail_eras@earthlink.net

Facsimile

To: Barney Chan, Alameda County
@Fax: (510) 337-9335
From: Gail Jones
Date: Monday, April 14, 2003 @
3:00 PM
Re: 925 West Grand Avenue
Pages: ~~1~~, including this
2

The Work Plan Letter for drilling at 925-949 West Grand Ave., Oakland is attached. Please call me (209 965-4640) if you have any questions.

FROM : DON KIM

FAX NO. : 415 668 9719

Apr. 11 2003 10:40AM P2

Ro 2514

ADDENDUM TO AIR FORM STANDARD OFFER, AGREEMENT, AND ESCROW INSTRUCTIONS FOR PURCHASE OF REAL ESTATE DATED JANUARY 6, 2003 AND COVERING THE PROPERTY LOCATED AT 925-949 WEST GRAND AVENUE IN OAKLAND, CALIFORNIA BY AND BETWEEN MYUNG KIM AND CHONG KIM ("BUYER") AND BC HOLDINGS, LLC ("SELLER")

27. Extension of Due Diligence

The due diligence period shall be extended until June 15, 2003 so that Buyer may conduct an environmental inspection of the Property. Buyer shall be responsible for any costs associated with these inspections.

28. Seller's Options to Extend Close of Escrow

In accordance with the original Purchase Contract: Seller shall have two (2) options to extend the close of escrow; each option will be for a period of sixty (60) days. Seller will notify Buyer in writing at least ten (10) days prior to its exercise of either option. The options will be exercised at the sole discretion of the Seller and all of the terms and conditions in the Purchase Agreement shall remain in full force and effect during the option periods. If no options are exercised then the Close of Escrow shall be on July 15, 2003. If one option is exercised then the close of escrow shall be on September 15, 2003. If both options are exercised then the close of escrow shall be on November 15, 2003. Seller shall not compensate Buyer in any way if it chooses to exercise its options. Buyer shall cooperate in Seller's 1031 tax-deferred exchange.

29. Seller's Rights to Environmental Reports

Seller shall receive copies of all inspections and reports done on the Property within ten (10) days of their completion.

30. Condition of Property on Delivery

Buyer is purchasing the Property in "AS-IS, WHERE-IS" condition. Seller makes no warranties or representations as to the condition of the Property. Buyer is aware that the Property has environmental contamination and that State, City, and County agencies might be aware of this contamination. Buyer takes full responsibility for any and all environmental clean up, investigation, or remediation that may or may not be required by any of the aforementioned agencies. Buyer assumes full responsibility for any environmental remediation after the Close of Escrow. Any cost for environmental remediation after the Close of Escrow shall be borne by Buyer. Buyer is aware that Seller will not be responsible for or pay for any of the environmental clean up, investigation, or remediation after the Close of Escrow.

31. Broker Disclosure

Buyer is aware that Seller is a licensed Real Estate Broker in the State of California.

32. Purchase Contract Still in Effect

All other terms of the Purchase Contract dated January 6, 2003 shall remain in full force and effect.

AGREED AND ACCEPTED:

By: Myoung S. Kim Date: 4/10/03
 Myoung Kim (Buyer)

By: Chong K. Kim Date: 4/10/03
 Chong Kim (Buyer)

By: [Signature] Date: 4/8/03

925 West Grand Avenue

April 14, 2003

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- 8) The groundwater samples collected by AEI in March 2002 were from a depth of approximately 10-11 feet bgs. ERAS will attempt to collect groundwater samples from this depth. If there is not enough groundwater to sample, a soil sample from this depth will be analyzed. Soil cores will be screened for total organic vapors using a PID to aide soil samples selection for laboratory analysis.
- 9) One soil sample will be selected from each boring for analysis. The soil sample and a groundwater sample from each boring will be submitted using chain-of-custody procedures to a state-certified analytical laboratory for analysis for gasoline hydrocarbons, benzene, toluene, ethylbenzene and xylenes and methyl tertiary butyl ether (MTBE). Two selected samples will be tested for MTBE by EPA Method 8260B as a confirmation for its presence in the samples *(if detected)*
Run for HUCs also EPA 8010 (OK)
- 10) After soil and groundwater samples are collected, the soil borings will be properly sealed with cement by the drilling contractor.
- 11) Store all soil and water waste temporarily onsite. After laboratory results are received, the waste will be removed for proper disposal.
- 12) Prepare a report detailing the field activities and evaluating the findings of the investigation. The report will include field boring logs, and results of laboratory analysis of contaminants in the soil. The report will be reviewed and certified by a State of California Registered Geologist.

Thanks for your prompt review of this plan of proposed work. Please call if you have any question regarding the previous work performed or this proposed work.

Sincerely,
ERAS Environmental, Inc.



Gail M. Jones
California Registered Geologist 5725



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To: Barney Chan, Alameda County
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The Work Plan Letter for drilling at 925-949 West Grand Ave., Oakland is attached. Please call me (209 965-4640) if you have any questions.

- add HVOCs
- move boring locations different locations
- piezometers?

ERAS**Environmental, Inc.**

20861 Wilbeam Ave., Ste. 4

Castro Valley, CA 94546-5832

(510) 247-9885 facsimile: (510) 886-5399

April 8, 2003

Mr. Barney Chan
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Ste. 250
Alameda, CA 94502

Re: **Workplan Summary**
Limited Soil and Groundwater Investigation at
925-949 West Grand Avenue, Oakland, California
ERAS Project Number 02-007

Dear Mr. Chan:

The following is a summary of work proposed to further investigate the extent of petroleum hydrocarbons in soil and groundwater at the subject site. This work is being paid for by a prospective buyer. The buyer would like a limited cost investigation to assess the severity of petroleum hydrocarbons at and near the subject site. The purpose of this proposed investigation is to attempt to quantify further additional costs of investigation and remediation, if necessary.

Background

AEI Consultants (AEI) performed a Phase 2 soil and groundwater investigation at the Property in March 2002. Soil and groundwater samples collected from the area of a former gasoline station near the southeast side of the Property did not contain significant concentrations of petroleum hydrocarbons.

AEI also collected soil and groundwater samples in the area of a former dry cleaning facility. This is also near the location of a former dip paint dip area identified from a Sanborn Fire Insurance map dated in 1950. Although the samples did not contain significant concentrations of dry cleaning or other chlorinated solvents, elevated concentrations of gasoline hydrocarbons were detected in groundwater samples. Soil samples collected in the two borings did not contain elevated concentrations of petroleum hydrocarbons indicating the borings were drilled some distance from the source of contamination.

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April 14, 2003
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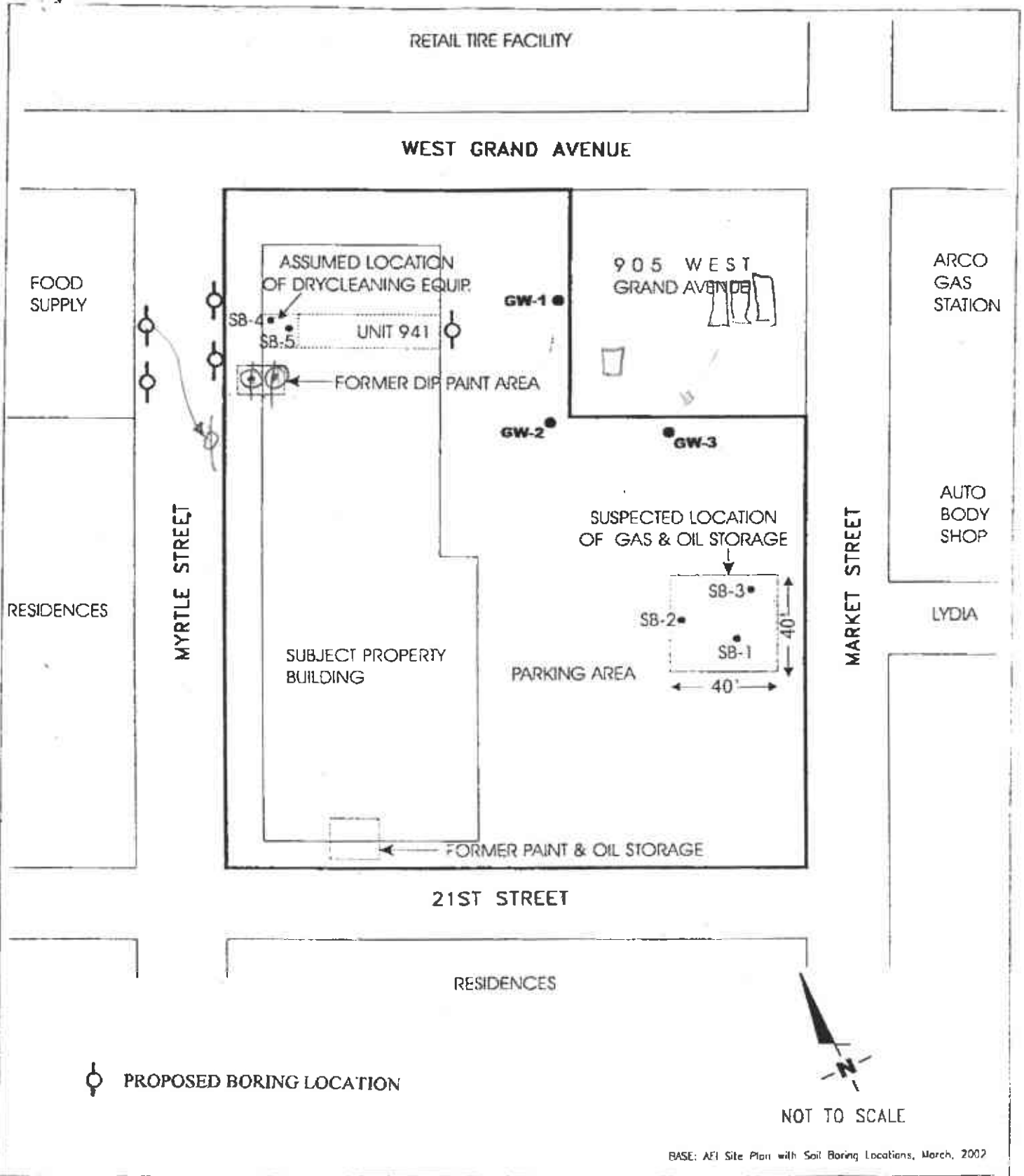
In September 2002 ERAS performed a Limited Groundwater Investigation on the part of the Property near the abandoned gasoline service station at 905 West Grand Avenue. Based on the presence of elevated concentrations of petroleum hydrocarbons previously detected beneath the USTs when they were removed, it was thought this former station might represent a source of petroleum hydrocarbons. Only the groundwater sample from one of the borings contained detectable concentrations of petroleum hydrocarbons but they were significantly lower than those found in groundwater beneath the former dry cleaning facility area.

At this time, the source of petroleum hydrocarbons is not known. ERAS proposes four soil borings in the Myrtle Street right-of-way (in the estimated down-gradient direction) and an additional boring at the southeast side of the shopping center building (in the estimated up-gradient direction) to assess the extent of the petroleum hydrocarbons in groundwater.

Proposed Scope of Work

The work proposed to resolve these issues will include the following tasks:

- 1) Procure an encroachment permit and street excavation permit from the City of Oakland Public Work Department.
- 2) Procure a drilling permit from the Alameda County Department of Public Works.
- 3) Prepare a site-specific Health and Safety Plan.
- 4) Outline the proposed work area in white paint and notify Underground Service Alert to identify subsurface utilities.
- 5) Prior to drilling, a private utility locator will be hired to clear the borehole locations for the presence of the USTs or other buried objects such as utility lines in the chosen drilling areas.
- 6) Advance five 2-inch diameter soil borings using a Geoprobe rig to a depth of approximately 25 feet bgs or to first encountered groundwater. The approximate location of the proposed borings are shown on the Figure 1 included with this letter.
- 7) All drilling equipment will be cleaned between borings to minimize the possibility of cross-contamination. Dedicated sample tubing will be used to collect a groundwater sample from each boring and transfer directly to appropriate laboratory-supplied samples containers.



BASE: AFI Site Plan with Soil Boring Locations, March, 2002

PROPOSED BORING LOCATION MAP

DATE
10/02
REVIEWED BY
DS

925-949 West Grand Avenue
Oakland, California

JOB NUMBER
02034A
FIGURE
1