

**FIRST AMENDMENT
TO
VOLUNTARY CLEANUP CONTRACT
24-7844-NRP**

**IN THE MATTER OF
ASHLEY LANDING SHOPPING CENTER, CHARLESTON COUNTY
and
ASHLEY LANDING (EDENS), LLC**

WHEREAS, on December 17, 2024, Ashley Landing (Edens), LLC (“Edens”) entered into Voluntary Cleanup Contract 24-7844-NRP (“VCC”) with the South Carolina Department of Environmental Services (“Department”) pursuant to the Brownfields/Voluntary Cleanup Program, S.C. Code Ann. §§ 44-56-710 et seq. (2018), and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C §§ 9601 et seq., pursuant to the South Carolina Hazardous Waste Management Act (HWMA), S.C. Code Ann. § 44-56-200 with respect to approximately 29.98 acres identified by Charleston County Tax Map Serial Numbers 352-11-00-099, 352-11-00-101, 352-11-00-102, and 352-11-00-103, hereinafter referred to collectively as the “Original Property.”

WHEREAS, on December 6, 2024, the Department received from Edens a Non-Responsible Party Application for Voluntary Cleanup Contract (Amendment) to amend the VCC to include 3.071 acres of adjoining property located at 14 Sumar Street and a portion of the Sumar Street right-of-way, Charleston, South Carolina (shown in Appendix A). This property is composed of two (2) parcels identified by Charleston County Tax Map Serial Numbers 352-08-00-006 (2.52 acres) and the Sumar Street Abandonment (0.551 acre portion of the Sumar Street right-of-way) as more specifically described in Appendix B, hereinafter referred to collectively as the “Additional Property.”

NOW THEREFORE IT IS AGREED, that Voluntary Cleanup Contract 24-7844-NRP is hereby amended to include and address the Original Property and the Additional Property.

FINDINGS

1. Based on the information known by or provided to the Department, the following findings are asserted for purposes of this Amendment:

A. Owners and Operators: The owners and operators of the Additional Property include the following:

TMS No. 352-08-00-006

Atlantic Refining Company / Atlantic Richmond Co.	1965 to 1972
Newton Land Corporation	1972 to 2014
Faison-Sumar Street	2014 to 2017
City of Charleston	2017 to Present

Sumar Street Right-of-Way

City of Charleston	At least 1960 to Present
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B. Additional Property and Surrounding Areas: The Additional Property is bounded to the north and west by Sam Rittenberg Boulevard with commercial properties beyond; to the east by Old Towne Road with commercial businesses and residences beyond; and to the south by the Original Property.

The Additional Property is developed with an approximately 36,000-square-foot former building pad, paved parking lots and drives, and Sumar Street. The remainder of the Additional Property is undeveloped, cleared land.

C. Investigations / Reports; Regulatory Issues: The Additional Property was initially developed with a portion of Sumar Street prior to 1958. From prior to 1968 to the early 1970s, a gas station operated in the northern portion of the Additional Property. From the late 1970s to 2017, the Additional Property was developed with a grocery store, paved parking, and Sumar Street.

The adjoining property to the Additional Property began to be developed for commercial purposes in the 1960s. A gas station operated on the southwest adjoining property from 1968 to 1989 and was on part of the Original Property that was the subject of VCC 24-7844-NRP.

A Phase II Environmental Site Assessment was performed by ECS Carolinas, LLP in 2014. A Ground Penetrating Radar (GPR) survey indicated one (1) anomaly consistent with an underground storage tank (UST) on the north-central portion of the former structure on the Additional Property. Four (4) soil borings were advanced approximately 100-140 feet from the suspected UST. No volatile organic compounds were detected above their screening levels in the collected soil samples.

A 2016 UST Closure Report for the Additional Property documents the removal of the 500-gallon steel heating oil UST from under the building slab of the former building on the Additional Property. No petroleum constituents were detected above their detection limits from soil samples taken from the UST excavation.

In 2016, EnviroTrac prepared a Environmental Baseline Assessment for the Additional Property. Ten (10) soil samples were collected from the Additional Property. Some metals and poly-aromatic hydrocarbons were detected above their respective residential regional screening levels (RSLs) in four (4) of the soil samples. Following soil sampling, EnviroTrac collected groundwater samples in the same locations as the soil borings. Bis(2-Ethylhexyl) phthalate was detected above its MCL in seven (7) of the collected groundwater samples.

A dry cleaning facility, Pressing Club Cleaners, Inc., operated on the east-adjacent property at 1664 Old Towne Road. A Limited Site Assessment performed on the property by EnSafe, Inc. identified groundwater impacts from the Pressing Club Cleaners, Inc. site in proximity to the Additional Property.

A Phase I Environmental Site Assessment (Phase I) was performed on the Additional Property by Terracon Consultants, Inc. and dated November 21, 2024. During reconnaissance for the Phase I, evidence of a below ground grease trap was identified near the eastern boundary of the Additional Property. No staining was evident in association with the suspected grease trap. The Phase I identified the following recognized environmental conditions (RECs):

- i. The former heating oil UST removed from the Additional Property was identified as a historical REC.
- ii. The 2016 screening level exceedences in soil and groundwater were identified as RECs.
- iii. The eastern-adjacent Pressing Club Cleaners, Inc. facility was identified as a REC.
- iv. The southwest-adjacent Circle K 2723358/CEL Oil Products (UST Permit No. 01430) located on the Original Property was identified as a REC based on the past use and storage of petroleum products, two (2) documented petroleum releases, and vapor intrusion concerns.

ASSESSMENT OF ENVIRONMENTAL MEDIA

1. Assess soil quality across the Additional Property:

- A. Edens shall collect and analyze a minimum of eight (8) soil samples from four (4) locations on the Additional Property. Edens shall collect one surface soil sample (0-1 foot below ground surface) and one subsurface soil sample (2-foot minimum depth) from each of the following locations:
 - a). The presumed location of the former gas station.
 - b). The location of the former heating oil UST.
 - c). A location in the southern portion of the Additional Property.
 - d). In the location of the presumed former grease trap.
- B. Unless otherwise specified above, each surface soil sample shall be analyzed for TAL-Metals (with chromium speciation to analyze for hexavalent chromium) and TCL-SVOCs. Each subsurface sample shall be analyzed for TAL-Metals

(with chromium speciation to analyze for hexavalent chromium), TCL-VOCs, and TCL-SVOCs. In addition, the soil samples from the location of the former heating oil UST shall be analyzed for the full EPA-TAL (includes cyanide) and EPA-TCL.

- C. Soil quality results shall be compared to the EPA RSL Resident and Industrial Screening Levels and to the applicable Protection of Groundwater SSL.
- D. All analytical methods shall be capable of achieving appropriate reporting levels as specified in Paragraph 4.A.5.d. of the Contract.

2. Assess groundwater quality:

- A. Edens shall assess groundwater quality and flow direction across the Property. Assessment shall include samples from a minimum of three (3) monitoring wells to be installed as singular wells. The wells shall be screened to bracket the water table. Specific locations shall be as follows:
 - i. A location in or near the presumed location of the former gas station.
 - ii. A location in the eastern portion of the Additional Property, in the presumed downgradient direction (southeast) of the former heating oil tank and across the street from the Pressing Club Cleaners, Inc. site.
 - iii. A location in the southwestern portion of the Additional Property.
- B. Samples from all groundwater monitoring wells shall be analyzed for TAL- Metals, TCL-VOCs, and TCL-SVOCs. In addition, the well in the eastern portion of the Additional Property shall have its samples analyzed for the full EPA-TAL (includes cyanide) with chromium speciation to analyze for hexavalent chromium, and the EPA-TCL.
- C. Groundwater quality results shall be compared to the primary maximum contaminant level (MCL) standards in the State Primary Drinking Water Regulations, S.C. Code Ann. Regs. 61-58, or, if not specified in R.61-58, to the EPA RSL for "Tapwater."

All analytical methods shall be capable of achieving appropriate reporting levels as specified in Paragraph 4.A.5.d. of this Contract.

FURTHER IT IS AGREED that this First Amendment in no way is intended to or does affect VCC 24-7844-NRP except as specifically provided herein and such VCC remains in full force and effect subject to this First Amendment.

SIGNATORIES

The signatories below hereby represent that they are authorized to and do enter into this amendment on behalf of their respective parties.

THE SOUTH CAROLINA DEPARTMENT OF ENVIRONMENTAL SERVICES

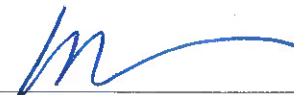
Juli E. Blalock, Chief
Bureau of Land and Waste
Management

DATE: _____

Reviewed by Office of General Counsel

DATE: _____

ASHLEY LANDING (EDENS), LLC

BY: 

William C. Cardwell
CHIEF DEVELOPMENT OFFICER

Printed Name and Title

DATE: _____
12/23/24

APPENDIX A



Non Responsible Party Application for Voluntary Cleanup Contract

I. Applicant Information

- 1. Applicant is a: [X] Single Entity [] Co-Entity (Each Co-Entity must complete items 1-8)
2. Applicant Type: [] Private Individual /Sole Proprietorship [X] For-profit Business (Corp., Partnership, etc.) [] Tax-Exempt Trust/ Corporation/ Organization [] Government / Other Public Funded Entity
3. Applicant's Legal Name ASHLEY LANDING (EDENS), LLC, a South Carolina limited liability company

4. Contract Signatures for this Applicant

a. Authorized Signatory

William Caldwell Chief Development Officer bcaldwell@edens.com
Name Title Email
1272 5th Street NE, Suite 200 Address Phone1 Phone2
Washington DC 20002
City State Zip

b. Other Signatories [X] None

Table with 5 columns: Name, Title, Phone, Email, Signature Required On Contract? (checkbox)

5. Physical Location of Applicant's Headquarters

1272 5th Street NE Suite 200
Street address Suite Number
Washington DC 20002
City State Zip

6. Mailing address: [X] Same as Authorized Signatory Go to question 7

Contact person (if different from Authorized Signatory) Title
Street Number or PO Box Phone1 Phone 2
City State Zip Email

7. Company Structure Information [] Not-applicable (Local Government, Sole Proprietorship, Private Individual) - Go to Question #8

- a. Company is Incorporated/ Organized/ Registered in South Carolina (state)
b. List all principals, officers, directors, controlling shareholders, or other owners with >5% ownership interest.

Attach additional pages if needed.

Table with 2 columns: Name, Name. Entries include Edens Limited Partnership, Jodie W. McLean, Mark P. Garside, William C. Caldwell.

- c. Is the applicant a subsidiary, parent or affiliate of any other business organization not otherwise identified on this form? [X] Yes [] No
d. If yes, identify all affiliations: See attached list.

8. Non-Responsible Party Certification

By signature below, it is affirmed that no person or entity identified anywhere above:

- 1. Is a current owner of the property
2. Is a Responsible Party for the site
3. Is a parent, successor, or subsidiary of any Responsible Party or owner of the property
4. Has had any involvement with the property in the past other than activities performed in anticipation of participation in the Voluntary Cleanup Program

Authorized Signatory

Co Signatories

II. Property Information

9. Location

a. Physical Address 14 Sumar Street and Portion of Sumar Street Right-of-Way

b. County Charleston County Zip Code 29407

c. Property is outside any municipal boundaries Property is inside the municipal limits of Charleston
(town/city)

10. List any Companies or Site names by which the Property is known

Former Piggly Wiggly Sumar Street

11. Total Size of Property Covered by this Contract 3.071 Acres

12. How many parcels comprise the Property? One Parcel + Portion of Existing Right-of-Way (Detailed Herein)

13. Current Zoning (general description)

General Business (GB)

14. a. Does the property have any above- or below-ground storage tanks? Yes No *

b. If Yes, provide information on the number and capacity of the tanks, their contents, and whether they will be retained, or closed and/or removed.

* No underground storage tanks (USTs) are known to currently exist at the subject property. In 2016, a former heating oil tank was removed and closed in general accordance with SC DHEC's UST Assessment Guidelines (dated February 14, 2006), and no detectable concentrations of BTEX or PAHs were identified within the samples collected. (See attached 2024 Phase I ESA prepared by Terracon and reports appended thereto.) A GPR survey conducted in connection with these activities did not identify any additional suspected USTs. Terracon's site reconnaissance performed in connection with Terracon's 2024 Phase I ESA did not identify evidence of USTs at the subject property.

Any unknown USTs encountered during redevelopment activities will be managed and disposed in accordance with laws.

15. Parcel Information *Complete the information below for each Parcel (attach additional sheets if needed)*

a. Tax Map Parcel# 352-08-00-006
 b. Acreage 2.52
 c. Current Owner City of Charleston
 d. Owner Mailing Address 2 George Street, STE 2601
Charleston, SC 29401
 e. Contact Person for Access Josh Martin
 f. Access Person's Phone # 843-513-8308
 g. Is Parcel Currently Vacant? Yes No
 h. Buildings on the parcel? (check all that apply)
 Demolished/Ruins
 Intact, To be demolished
 Intact, To be re-used
 i. Business/facility operations Never Operated on the parcel
 Not operating since 2016
 (approx date)
 In operation: nature of the business _____

Sumner Street Abandonment (Portion of Sumner Street ROW)
 a. Tax Map Parcel# _____
 b. Acreage 0.551 Acres
 c. Current Owner City of Charleston
 d. Owner Mailing Address 2 George Street, STE 2601
Charleston, SC 29401
 e. Contact Person for Access Josh Martin
 f. Access Person's Phone # 843-513-8308
 g. Is Parcel Currently Vacant? Yes No
 h. Buildings on the parcel? (check all that apply)
 Demolished/Ruins
 Intact, To be demolished
 Intact, To be re-used
 i. Business/facility operations Never Operated on the parcel
 Not operating since _____
 (approx date)
 In operation: nature of the business _____

a. Tax Map Parcel# _____
 b. Acreage _____
 c. Current Owner _____
 d. Owner Mailing Address _____
 e. Contact Person for Access _____
 f. Access Person's Phone # _____
 g. Is Parcel Currently Vacant? Yes No
 h. Buildings on the parcel? (check all that apply)
 None
 Demolished/Ruins
 Intact, To be demolished
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 i. Business/facility operations Never Operated on the parcel
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 (approx date)
 In operation: nature of the business _____

a. Tax Map Parcel# _____
 b. Acreage _____
 c. Current Owner _____
 d. Owner Mailing Address _____
 e. Contact Person for Access _____
 f. Access Person's Phone # _____
 g. Is Parcel Currently Vacant? Yes No
 h. Buildings on the parcel? (check all that apply)
 None
 Demolished/Ruins
 Intact, To be demolished
 Intact, To be re-used
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 In operation: nature of the business _____

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 Demolished/Ruins
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 Intact, To be re-used
 i. Business/facility operations Never Operated on the parcel
 Not operating since _____
 (approx date)
 In operation: nature of the business _____

III. Property Redevelopment

16. Describe the intended re-use of the property:
(attach additional sheets if necessary)

The property will be redeveloped in connection with the larger Ashley Landing Shopping Center's redevelopment into a mixed-use community (including multifamily residential rental units, single-family townhome rentals, restaurants, retail, and associated greenspace), as discussed in the NRP Application for VCC for 1301-1319 & 1401 Sam Rittenberg Boulevard; 1 Sumar Street; and 1503 Old Towne Road, Charleston, SC 29407 submitted to South Carolina DES on September 13, 2024 (hereinafter the "Ashley Landing Shopping Center VCC Application"), as well as the resulting VCC 24-7844-NRP.

17. a. Will the future use include any chemical processes, petroleum or chemical storage and handling, on-site waste disposal, or generate any hazardous substances? Yes No
 b. If Yes, identify the substances and discuss steps that will be taken to prevent their release to the environment.

18. Will redevelopment lead to the creation of permanent jobs on the property? Yes Anticipated Number TBD
 No

19. Projected Increase to the Tax Base as a result of this redevelopment: \$ TBD

20. a. Will there be Intangible benefits from this redevelopment such as:
 LEED, Earth Craft, EnergyStar, or similar certification of Sustainable Development
 Creation / Preservation of Green Space on the Property
 Deconstruction/ Recycling of demolition or building debris
 Other _____

b. Please Describe:

As discussed in the Ashley Landing Shopping Center VCC Application, the redevelopment project will incorporate green space and will be designed in a manner to increase pedestrian connectivity. The project will also provide stormwater management that will assist with alleviating downstream flooding.

21. Anticipated date of closing or acquiring title to the property 12 / 14 / 2024

22. Redevelopment Certification

By signature below, the applicant(s) affirm that their proposed use and activities will not knowingly aggravate or contribute to existing contamination or pose significant human health or environmental risks on the property.



Signature(s)

IV. Project Management And Financial Viability (Co-Entities, refer to instruction sheet)

23. Environmental Consulting Firm
 None as of this application date
 Terracon Consultants, Inc.

Company				
1800 Reynolds Avenue	North Charleston	South Carolina	29405-7871	
Address	City	State	Zip	
Thomas A. Covington III		(843) 277-8454	TAC.Covington@terracon.com	
Project Contact1	S.C PE/PG Reg. #	Phone1	Phone 2	email
J. Charlie Stone, P.G.	2835	(864) 729-7028	DCharlie.Stone@terracon.com	
Project Contact 2	S.C PE/PG Reg. #	Phone1	Phone 2	email

24. Legal Counsel (Optional)

Morris, Manning & Martin, LLP

Firm

Gerald L. Pouncey, Jr.

404-504-7738

Attorney

Phone1

Phone 2

3343 Peachtree Road, NE; 1600 Atlanta Financial Ctr. Atlanta GA 30326 glp@mmmlaw.com

Street Number or PO Box

City

State

Zip

email

25. Applicant's Billing Address Same as Contact person in #6 above Go to question #26

Financial Contact

Title

Company

Phone

Address

City

State

Zip

26. Financial Viability

By signature(s) below, the applicant agrees to:

1. Pay the Department's costs upon receipt of invoices for implementing the Voluntary Cleanup Program for this Property, and
2. Provide financial statements, if requested, to document financial viability to conduct the response actions on the Property.

Waiver Requested (Check Box If applicable)

The applicant is a Local Government or qualifies as a 501(c) Non-Profit Organization, and requests waiver of some Departmental costs of implementing this contract.



[Handwritten Signature]

Signatures

V. Application Completion (The following are required along with this form. Check applicable boxes)

27. The Legal Description of the Property is attached as a: Plat Map Metes and Bounds Text Both

28. The Phase I Environmental Site Assessment Report is attached as a:

New report completed in the past six months by Terracon Consultants, Inc.

(Name of Environmental Firm)

Older report updated in the past six months by _____

(Name of Environmental Firm)

29. Environmental sampling data and other reports: (check one)

The Applicant is not aware of any environmental testing on the property

The Applicant believes the Department already has all environmental data in its files on: _____

The Following reports are attached:

(Site Name)

Report Date

Report Name

Environmental Firm

(See reports appended to attached Phase I ESA prepared by Terracon)

30. Mailing addresses of Former Owners, Operators and other Potentially Responsible Parties:(check one)

Enclosed with this Application as an Attachment *

Will be submitted along with (or before) the signed contract

* Ownership history for each parcel, as identified by a title search, is attached for purposes of streamlining preparation of VCC Amendment.

31. The applicants attest by signature below that this application is accurate to their best knowledge. Furthermore, the applicants request DHEC evaluate the Property for inclusion in the Brownfields Voluntary Cleanup Program and draft a Non-Responsible Party Contract for the Property.



[Handwritten Signature]

Signature(s)

This Section for Department Use Only

Assigned File Name		
Eligible for NRP Contract	<input type="checkbox"/> Y <input type="checkbox"/> N	
Assigned File Number		
Assigned Contract Number		

Attachment 1:

**Applicant Affiliate Information
(Question 7.d)**

**Attachment 1 to Non Responsible Party Application for Voluntary Cleanup Contract
Ashley Landing (Edens), LLC**

- 7.d. Edens Investment Trust
- BREP Edens Investment Partners LP
- Knickerbocker Edens, LLC
- Edens Retail Investments LLC
- North Carolina Retirement System
- State of Wisconsin Investment Board
- Virginia Retirement System

APPENDIX B

Attachment 2A: Legal Descriptions

"Sumar Parcel" - Tax Parcel Number: 352-08-00-006

That certain parcel of land, with any improvements thereon, situate in the City of Charleston, Charleston County, South Carolina, containing 2.520 acres and being shown on Plat Showing the Northbridge Piggly Wiggly Store Owned by Newton Land Corporation prepared by Arc Surveying Company, Inc. dated February 14, 1994, recorded in the Office of the Register of Deeds for Charleston County in Plat Book CP at page 23, said property having such courses, metes, measurements, and boundaries as shown on the aforesaid plat, which plat is incorporated herein by reference.

"Sumar Street Abandonment" (Portion of Sumar Street Right-of-Way)

All that piece, parcel, or lot of land known as Sumar Street, located between S.C. Highway 171 (Old Town Road) and S.C. Highway 7 (Sam Rittenberg Boulevard) and being more fully shown on a drawing entitled "EXHIBIT SHOWING THE ABANDONMENT OF A PORTION OF SUMAR STREET CONTAINING 0.551 ACRES PREPARED FOR CITY OF CHARLESTON, LOCATED IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA" and having the following metes and bounds to wit:

Beginning at a point on the southeasterly right-of-way of U.S. Highway 7 (Sam Rittenberg Boulevard), said point being approximately 1,724' northeast of Charlestown Drive, said point being the point of beginning, thence turning and running across Sumar Street N 51° 12' 07" E, a distance of 92.22' to a point (IPF – 1" OPEN), thence turning and running along the lands of City of Charleston, S 73° 12' 45" E, a distance of 295.11' to a point (IPS), thence turning and running across Sumar Street S 16° 47' 15" W, a distance of 73.72', to a point (IPS), thence turning and running along the lands of Faison Ashley Landing, LLC, N 73° 35' 25" W, a distance of 100.93' to a point (IPS), continue N 73° 35' 25" W, a distance of 124.87' to a point (IPF – 1" PINCH), thence turning and running along the lands of Faison Ashley Outparcel, LLC N 73° 37' 22" W, a distance of 121.43' to a point (IPS) said point being the point of beginning, containing a total of 0.551 acres, more or less, for the total of Sumar Street to be abandoned.

II. Property Information

9. Location

a. Physical Address 14 Sumar Street and Portion of Sumar Street Right-of-Way

b. County Charleston County Zip Code 29407

c. Property is outside any municipal boundaries Property is inside the municipal limits of Charleston
(town/city)

10. List any Companies or Site names by which the Property is known

Former Piggly Wiggly Sumar Street

11. Total Size of Property Covered by this Contract 3.071 Acres

12. How many parcels comprise the Property? One Parcel + Portion of Existing Right-of-Way (Detailed Herein)

13. Current Zoning (general description)
General Business (GB)

14. a. Does the property have any above- or below-ground storage tanks? Yes No*

b. If Yes, provide information on the number and capacity of the tanks, their contents, and whether they will be retained, or closed and/or removed.

* No underground storage tanks (USTs) are known to currently exist at the subject property. In 2016, a former heating oil tank was removed and closed in general accordance with SC DHEC's UST Assessment Guidelines (dated February 14, 2006), and no detectable concentrations of BTEX or PAHs were identified within the samples collected. (See attached 2024 Phase I ESA prepared by Terracon and reports appended thereto.) A GPR survey conducted in connection with these activities did not identify any additional suspected USTs. Terracon's site reconnaissance performed in connection with Terracon's 2024 Phase I ESA did not identify evidence of USTs at the subject property.

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 c. Current Owner City of Charleston
 d. Owner Mailing Address 2 George Street, STE 2601
Charleston, SC 29401

e. Contact Person for Access Josh Martin
 f. Access Person's Phone # 843-513-8308

g. Is Parcel Currently Vacant? Yes No
 h. Buildings on the parcel? None
 (check all that apply) Demolished/Ruins
 Intact, To be demolished
 Intact, To be re-used

i. Business/facility operations Never Operated on the parcel
 Not operating since 2016
 (approx date)
 In operation: nature of the business _____

Sumar Street Abandonment (Portion of Sumar Street ROW)

a. Tax Map Parcel# _____
 b. Acreage 0.551 Acres
 c. Current Owner City of Charleston
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 (approx date)
 In operation: nature of the business _____

III. Property Redevelopment

16. Describe the intended re-use of the property:
(attach additional sheets if necessary)

The property will be redeveloped in connection with the larger Ashley Landing Shopping Center's redevelopment into a mixed-use community (including multifamily residential rental units, single-family townhome rentals, restaurants, retail, and associated greenspace), as discussed in the NRP Application for VCC for 1301-1319 & 1401 Sam Rittenberg Boulevard; 1 Sumar Street; and 1503 Old Towne Road, Charleston, SC 29407 submitted to South Carolina DES on September 13, 2024 (hereinafter the "Ashley Landing Shopping Center VCC Application"), as well as the resulting VCC 24-7844-NRP.

17. a. Will the future use include any chemical processes, petroleum or chemical storage and handling, on-site waste disposal, or generate any hazardous substances? Yes No
 b. If Yes, identify the substances and discuss steps that will be taken to prevent their release to the environment.

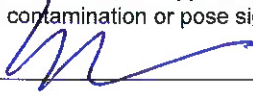
18. Will redevelopment lead to the creation of permanent jobs on the property? Yes Anticipated Number TBD
 No

19. Projected Increase to the Tax Base as a result of this redevelopment: \$ TBD

20. a. Will there be Intangible benefits from this redevelopment such as:
 LEED, Earth Craft, EnergyStar, or similar certification of Sustainable Development
 Creation / Preservation of Green Space on the Property
 Deconstruction/ Recycling of demolition or building debris
 Other _____

b. Please Describe:
 As discussed in the Ashley Landing Shopping Center VCC Application, the redevelopment project will incorporate green space and will be designed in a manner to increase pedestrian connectivity. The project will also provide stormwater management that will assist with alleviating downstream flooding. +

21. Anticipated date of closing or acquiring title to the property 12 / 14 / 2024

22. Redevelopment Certification
 By signature below, the applicant(s) affirm that their proposed use and activities will not knowingly aggravate or contribute to existing contamination or pose significant human health or environmental risks on the property.


 Signature(s)

IV. Project Management And Financial Viability (Co-Entities, refer to instruction sheet)

23. Environmental Consulting Firm
 None as of this application date
 Terracon Consultants, Inc.

Company	1800 Reynolds Avenue	North Charleston	South Carolina	29405-7871
Address	City	State	Zip	
Project Contact1	Thomas A. Covington III	(843) 277-8454		Tec.Covington@terracon.com
Project Contact2	J. Charlie Stone, P.G.	(864) 729-7028		Charlie.Stone@terracon.com
	S.C PE/PG Reg. #	Phone1	Phone 2	email
	2835			
	S.C PE/PG Reg. #	Phone1	Phone 2	email

24. Legal Counsel (Optional)

Morris, Manning & Martin, LLP

Firm

Gerald L. Pouncey, Jr.

404-504-7738

Attorney

Phone1

Phone 2

3343 Peachtree Road, NE; 1600 Atlanta Financial Ctr.

Atlanta

GA

30326

glp@mmmlaw.com

Street Number or PO Box

City

State

Zip

email

25. Applicant's Billing Address Same as Contact person in #6 above Go to question #26

Financial Contact

Title

Company

Phone

Address

City

State

Zip

26. Financial Viability

By signature(s) below, the applicant agrees to:

1. Pay the Department's costs upon receipt of invoices for implementing the Voluntary Cleanup Program for this Property, and
2. Provide financial statements, if requested, to document financial viability to conduct the response actions on the Property.

Waiver Requested (Check Box If applicable)

The applicant is a Local Government or qualifies as a 501(c) Non-Profit Organization, and requests waiver of some Departmental costs of implementing this contract.



Signatures

V. Application Completion (The following are required along with this form. Check applicable boxes)

27. The Legal Description of the Property is attached as a: Plat Map Metes and Bounds Text Both

28. The Phase I Environmental Site Assessment Report is attached as a:

New report completed in the past six months by Terracon Consultants, Inc.

(Name of Environmental Firm)

Older report updated in the past six months by _____

(Name of Environmental Firm)

29. Environmental sampling data and other reports: (check one)

The Applicant is not aware of any environmental testing on the property

The Applicant believes the Department already has all environmental data in its files on: _____

The Following reports are attached:

(Site Name)

Report Date

Report Name

Environmental Firm

(See reports appended to attached Phase I ESA prepared by Terracon)

30. Mailing addresses of Former Owners, Operators and other Potentially Responsible Parties:(check one)

Enclosed with this Application as an Attachment *

* Ownership history for each parcel, as identified by a title search, is attached for purposes of streamlining preparation of VCC Amendment.

Will be submitted along with (or before) the signed contract

31. The applicants attest by signature below that this application is accurate to their best knowledge. Furthermore, the applicants request DHEC evaluate the Property for inclusion in the Brownfields Voluntary Cleanup Program and draft a Non-Responsible Party Contract for the Property.



Signature(s)

This Section for Department Use Only

Assigned File Name		
Eligible for NRP Contract	<input type="checkbox"/> Y <input type="checkbox"/> N	
Assigned File Number		
Assigned Contract Number		

Attachment 1:

Applicant Affiliate Information
(Question 7.d)

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DEC 09 2024

**SITE ASSESSMENT,
REMEDICATION, &
REVITALIZATION**

**Attachment 1 to Non Responsible Party Application for Voluntary Cleanup Contract
Ashley Landing (Edens), LLC**

- 7.d. Edens Investment Trust
- BREP Edens Investment Partners LP
- Knickerbocker Edens, LLC
- Edens Retail Investments LLC
- North Carolina Retirement System
- State of Wisconsin Investment Board
- Virginia Retirement System

Attachment 2: Legal Descriptions &
Survey Plats (Question 27)

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SITE ASSESSMENT,
REMEDICATION, &
REVITALIZATION

Attachment 2A: Legal Descriptions

Attachment 2A: Legal Descriptions

"Sumar Parcel" - Tax Parcel Number: 352-08-00-006

That certain parcel of land, with any improvements thereon, situate in the City of Charleston, Charleston County, South Carolina, containing 2.520 acres and being shown on Plat Showing the Northbridge Piggly Wiggly Store Owned by Newton Land Corporation prepared by Arc Surveying Company, Inc. dated February 14, 1994, recorded in the Office of the Register of Deeds for Charleston County in Plat Book CP at page 23, said property having such courses, metes, measurements, and boundaries as shown on the aforesaid plat, which plat is incorporated herein by reference.

"Sumar Street Abandonment" (Portion of Sumar Street Right-of-Way)

All that piece, parcel, or lot of land known as Sumar Street, located between S.C. Highway 171 (Old Town Road) and S.C. Highway 7 (Sam Rittenberg Boulevard) and being more fully shown on a drawing entitled "EXHIBIT SHOWING THE ABANDONMENT OF A PORTION OF SUMAR STREET CONTAINING 0.551 ACRES PREPARED FOR CITY OF CHARLESTON, LOCATED IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA" and having the following metes and bounds to wit:

Beginning at a point on the southeasterly right-of-way of U.S. Highway 7 (Sam Rittenberg Boulevard), said point being approximately 1,724' northeast of Charlestown Drive, said point being the point of beginning, thence turning and running across Sumar Street N 51° 12' 07" E, a distance of 92.22' to a point (IPF - 1" OPEN), thence turning and running along the lands of City of Charleston, S 73° 12' 45" E, a distance of 295.11' to a point (IPS), thence turning and running across Sumar Street S 16° 47' 15" W, a distance of 73.72', to a point (IPS), thence turning and running along the lands of Faison Ashley Landing, LLC, N 73° 35' 25" W, a distance of 100.93' to a point (IPS), continue N 73° 35' 25" W, a distance of 124.87' to a point (IPF - 1" PINCH), thence turning and running along the lands of Faison Ashley Outparcel, LLC N 73° 37' 22" W, a distance of 121.43' to a point (IPS) said point being the point of beginning, containing a total of 0.551 acres, more or less, for the total of Sumar Street to be abandoned.

Attachment 2B: Survey Plats

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DEC 09 2024

**SITE ASSESSMENT,
REMEDICATION, &
REVITALIZATION**

"Sumar Street Abandonment" (Portion of Sumar Street Right-of-Way)

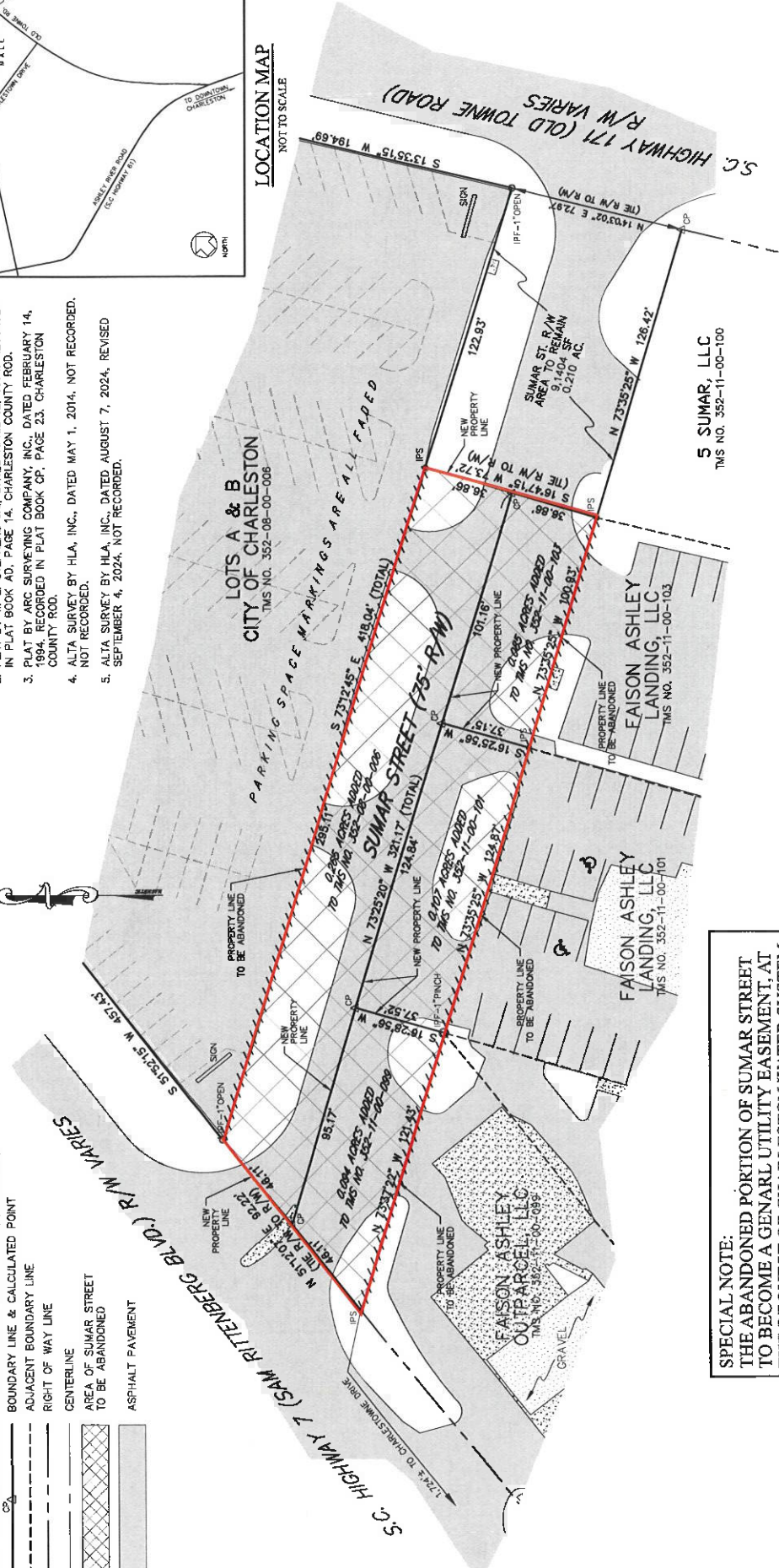
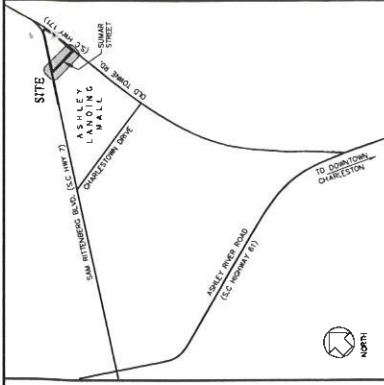
LEGEND

- IPF BOUNDARY LINE & CORNER FOUND (AS DESCRIBED)
- IPB BOUNDARY LINE & CORNER SET (5/8" REBAR)
- CPA BOUNDARY LINE & CALCULATED POINT
- ADJACENT BOUNDARY LINE
- RIGHT OF WAY LINE
- CENTERLINE
- AREA OF SUMAR STREET TO BE ABANDONED
- ASPHALT PAVEMENT

REFERENCES

1. PLAT BY GEORGE B. PAST DATED JULY 24, 1973, RECORDED IN PLAT BOOK AD. PAGE 18, CHARLESTON COUNTY, ROD.
2. PLAT BY W. L. STEPHENS JR., DATED APRIL 12, 1974, RECORDED IN PLAT BOOK AD. PAGE 14, CHARLESTON COUNTY, ROD.
3. PLAT BY ARC SURVEYING COMPANY, INC., DATED FEBRUARY 14, 1994, RECORDED IN PLAT BOOK CP. PAGE 23, CHARLESTON COUNTY, ROD.
4. ALTA SURVEY BY HLA, INC., DATED MAY 1, 2014, NOT RECORDED, NOT RECORDED.
5. ALTA SURVEY BY HLA, INC., DATED AUGUST 7, 2024, REVISED SEPTEMBER 4, 2024, NOT RECORDED.

LOCATION MAP
NOT TO SCALE



SPECIAL NOTE:
THE ABANDONED PORTION OF SUMAR STREET TO BECOME A GENERAL UTILITY EASEMENT, AT THE REQUEST OF CHARLESTON WATER SYSTEM.

EXHIBIT

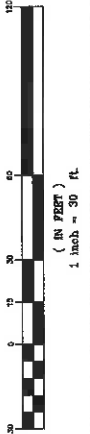
SHOWING THE ABANDONMENT OF A PORTION OF SUMAR STREET CONTAINING 0.551 ACRES
 0.265 ACRES TO TMS NO. 352-08-00-006
 0.094 ACRES TO TMS NO. 352-11-00-099
 0.107 ACRES TO TMS NO. 352-11-00-101 AND
 0.085 ACRES TO TMS NO. 352-11-00-103
 PREPARED FOR
CITY OF CHARLESTON
 LOCATED IN
 THE CITY OF CHARLESTON
 CHARLESTON COUNTY SOUTH CAROLINA
 DATE: NOVEMBER 12, 2024 SCALE: 1" = 30'

DEVELOPMENT SUMMARY	
SUMAR STREET ABANDONMENT TOTAL	0.551 ACRES
ADDED TO TMS NO. 352-08-00-006	0.265 ACRES
ADDED TO TMS NO. 352-11-00-099	0.094 ACRES
ADDED TO TMS NO. 352-11-00-101	0.107 ACRES
ADDED TO TMS NO. 352-11-00-103	0.085 ACRES

NOTES

1. TMS NO. 352-08-00-006, TMS NO. 352-08-00-089, 100 & 103.
 2. AREA DETERMINED BY COORDINATE METHOD.
 3. NO UNDERGROUND EXPLORATION PERFORMED FOR THIS SURVEY.
 4. PROPERTIES ARE LOCATED IN FLOOD ZONE X, AS PER FEMA MAP NUMBER 45015G0503K, COMMUNITY PANEL 45512 0503 K, EFFECTIVE DATE JANUARY 29, 2021.
- FLOOD ZONE X HAS BEEN DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.

GRAPHIC SCALE



HLA
 THE SITE EXPERTS
 SURVEYING CIVIL ENGINEERING
 LAND PLANNING LANDSCAPE ARCHITECTURE
 29 Leinbach Drive, A2, Charleston SC 29407-6988
 tel: 843.763.1166 fax: 843.763.1909 web: www.hla.com