



**Administrative Record Index
for Access Order to APRAK Realty Trust
New Bedford Tax Assessor's Plat 93, Lot 263**

1. Administrative Record Index for New Bedford Harbor Upper and Lower Harbor Operable Unit. The Record consists of 18 three-ring binders of documents, including the Record of Decision dated September 25, 1998.
2. Quitclaim Deed dated October 22, 1997 from the City of New Bedford to Karpa, Inc.
3. Vote dated December 17, 1999 of Richard Vohnoutka, sole Director and shareholder of Karpa, Inc. to convey Karpa, Inc.'s real property to Richard Vohnoutka. Recorded in New Bedford Registry of Deeds in Book 4678, Page 225 on May 11, 2000.
4. Quitclaim Deed dated December 23, 1999 from Karpa, Inc. to Richard Vohnoutka. Recorded in New Bedford Registry of Deeds in Book 4588, Page 347 on December 23, 1999.
5. Declaration of Trust dated January 7, 2000 creating APRAK REALTY TRUST and appointing Richard P. Vohnoutka as Trustee of APRAK REALTY TRUST. Recorded in the New Bedford Registry of Deeds in Book 4606, Page 266 on January 21, 2000.
6. Quitclaim Deed dated January 11, 2000 from Richard P. Vohnoutka to APRAK REALTY TRUST. Recorded in the New Bedford Registry of Deeds in Book 4606, Page 288 on January 21, 2000.
7. Letter dated February 3, 1999 from David J. Dickerson, (EPA) to Karpa, Inc. (predecessor to APRAK REALTY TRUST) requesting that it sign the enclosed Access Agreement.
8. Signed Access Agreement dated February 17, 1999 by Richard P. Vohnoutka, President of Karpa, Inc.
9. Letter dated May 13, 1999 from Greg Jonsson, Esq. to Cynthia Catri (EPA) revoking access and demanding that EPA remove an air monitoring station installed on the property.
10. Letter dated May 18, 1999 from Cynthia Catri (EPA) to Greg Jonsson, Esq. acknowledging revoked access and requesting limited access to perform a property survey and enclosing limited Access Agreement form.
11. Telephone conversation held May 25, 1999 between Greg Jonsson, Esq. and Cynthia Catri (EPA) discussing limited access for property survey.
12. Signed limited Access Agreement for property survey by Richard Vohnoutka, President, Karpa, Inc. dated May 26, 1999.

13. Letter dated June 3, 1999 from Cynthia Catri (EPA) to Greg Jonsson, Esq. reflecting telephone call and enclosing second limited Access Agreement to conduct geophysical survey, soil borings and to traverse the property to dismantle and remove air monitoring system and reconstruct and operate system on adjacent property.

14. Summary notes by Cynthia Catri (EPA) of meeting June 3, 1999 at property between Cynthia Catri (EPA), Dave Dickerson (EPA), Maurice Beaudoin (COE), Greg Jonsson, Esq. and Richard Vohnoutka to discuss removal of air monitoring system and anticipated project plans.

15. Second limited Access Agreement dated June 8, 1999 signed by Richard P. Vohnoutka, President, Karpa, Inc.

16. Letter dated June 15, 1999 from Cynthia Catri (EPA) to Greg Jonsson, Esq. discussing possible purchase of air monitoring poles installed by EPA.

17. Summary notes by Cynthia Catri (EPA) of meeting November 15, 1999 between Greg Jonsson, Richard Vohnoutka, Cynthia Catri (EPA) Jim Brown (EPA) Edward Fallon (COE) and Quentin Walsh (COE) to discuss anticipated remediation activities on property.

18. Letter dated September 12, 2000 from Joseph Redlinger (COE), on behalf of EPA, to Richard Vohnoutka, Trustee of APRAK REALTY TRUST offering to purchase two permanent easements and one three year temporary work easement to implement the remedial action.

19. Notes by Edward Fallon (COE) reflecting telephone messages on September 28, 29, and October 6, 2000 left for Greg Jonsson, Esq. by Edward Fallon (COE) to discuss offer and access.

20. Summary notes by Cynthia Catri (EPA) of meeting October 23, 2000 between Greg Jonsson, Cynthia Catri (EPA), Jim Brown (EPA), Edward Fallon (COE) and Quentin Walsh (COE) to discuss offer and access.

21. Signed limited COE Right of Entry form dated October 23, 2000 by Richard Vohnoutka to allow access for construction work but specifically prohibiting erecting buildings or any other type of improvements.

22. Summary notes by Cynthia Catri (EPA) of meeting October 31, 2000 between Greg Jonsson, Richard Vohnoutka, potential developer of property, Cynthia Catri (EPA), Jim Brown (EPA), Edward Fallon (COE), Quentin Walsh (COE) and other EPA, COE representatives as well as other interested parties to discuss impact of remediation on future development options; and notes by Edward Fallon (COE) reflecting meeting of October 31, 2000.

23. Fax dated November 8, 2000 from Quentin Walsh (COE) to Greg Jonsson, Esq. requesting response to offer.

24. Letter dated November 9, 2000 from Greg Jonsson, Esq. to Quentin Walsh (COE) discussing offer.

25. Fax dated November 10, 2000 from Greg Jonsson, Esq. to Quentin Walsh (COE) containing counteroffer.

26. Fax dated November 18, 2000 from Greg Jonsson, Esq. to Quentin Walsh (COE) referring to earlier counter-proposal faxed November 10, 2000.

27. Notes by Edward Fallon (COE) reflecting telephone call November 20, 2000 between Greg Jonsson, Esq. and Edward Fallon (COE) regarding counter-proposal and new meeting with potential developer. Mr. Jonsson to recommend that Mr. Vohnoutka sign unlimited COE Right of Entry and get independent appraisal.

28. Notes by Edward Fallon (COE) dated November 28, 2000, reflecting another fax of unlimited COE Right of Entry form.

29. Notes by Edward Fallon (COE) reflecting telephone message November 29, 2000 from Edward Fallon (COE) to Greg Jonsson to inquire about Right of Entry and meeting with developer.

30. Notes by Edward Fallon (COE) reflecting telephone call December 6, 2000 between Edward Fallon (COE) and Greg Jonsson regarding Mr. Vohnoutka signing Right of Entry and tentative meeting date with potential developer.

31. Summary notes by Cynthia Catri (EPA) reflecting telephone call approximately December 11, 2000 between Greg Jonsson, Esq. and Cynthia Catri (EPA) regarding Right of Entry form, need to move project, and consequences of failure to secure access. Greg Jonsson would try to get Mr. Vohnoutka to sign and have form to EPA by December 15, 2000.

32. Letter dated December 26, 2000 from Cynthia Catri (EPA) to Greg Jonsson, Esq. requesting response within seven days to EPA offer to purchase property and notifying of imminent Access Order.

33. Letter dated January 4, 2001 from Cynthia Catri (EPA) to Greg Jonsson, Esq. resending letter dated December 26, 2000 noting that original letter was never retrieved and that Access Order was expected to be issued within next two business days.

34. Administrative Order for Property Access dated January 9, 2001 with transmittal cover letter.