Notification of Hazardous Substances and/or Materials

This Notification of Hazardous Substances and/or Materials is made subject to the terms of the Invitation for Bid (IFB) including its Property Descriptions, General Terms of Sale, Important Instructions to Bidders, Notification of Hazardous Substances and/or Materials , Bidder Registration and Bid Form for Purchase of Real Property and Exhibits, all of which are incorporated or attached to this IFB by reference, and made a part hereof, and as may be modified and supplemented by any addenda or amendments that may be issued by the State prior to the conclusion of the public auction.

1. NOTIFICATION OF HAZARDOUS SUBSTANCE and/or MATERIALS

The Property is in a highly industrialized area.

The State is aware that prior to the State's purchase of the Property in 1993, the Property was occupied by two industrial facilities.

Other than the hazards and/or materials expressly identified if paragraphs 2, 3, 4, and 5, the State is unaware of existence of any hazardous substances and/or materials associated with the Property.

Bidders are invited, urged, and cautioned to inspect the Property prior to submitting a bid. More particularly, bidders are invited, urged, and cautioned to inspect the Property regarding asbestos content and condition and any hazardous or environmental conditions relating thereto. The State will assist bidders in obtaining any authorization(s) that may be required in order to carry out any such inspection(s). Bidders shall be deemed to have relied solely on their own judgments in assessing the overall condition of all or any portion of the Property including, without limitation, any asbestos hazards or concerns.

The Purchaser will be required to agree to "hold harmless" the State from injury, damages, loss, claims, liabilities, cost, and judgments arising from future actions by the Purchaser.

The State does not warranty the condition of the Property including, without limitation, whether the Property does, or does not, contain hazardous materials or is, or is not, safe for a particular purpose. The failure of any bidder to inspect, or to be fully informed regarding the condition of all or any portion of the Property offered, will not constitute grounds for any

claim or demand for breach, damages, or adjustment or withdrawal of a bid or offer after its opening or tender.

The description of the Property set forth in the IFB and any other information provided therein with respect to said Property is based on the best information available to the State, but an error or omission, including, but not limited to, the exclusion of any information available shall not constitute grounds or reason for nonperformance of the contract of sale, or any claim by the Purchaser against the State including, without limitation, any claim for damages, rescission, or allowance, refund, or deduction from the purchase price.

The State assumes no liability for damages for personal injury, illness, disability or death, to the Purchaser, or to the Purchaser's successors, assigns, employees, invitees, or any other person subject to Purchaser's control or direction, or to any other person, including members of the general public, arising from or incident to the purchase, transportation, removal, handling, use, disposition, or other activity causing or leading to contact of any kind whatsoever with hazardous substances and/or materials on the Property that is the subject of this sale, whether the Purchaser, its successors or assigns has or have properly warned or failed properly to warn the individual(s) injured.

2. NOTICE OF HAZARDOUS WASTE GENERATOR

The Property previously and currently houses the Arizona Department of Agriculture State Laboratory. The Arizona Department of Agriculture State Laboratory is/was operating with EPA ID AZT000624346 as a “Conditionally Exempt Small Quantity Generator of Hazardous Waste.”

The State is unaware of any environmental releases that might be subject to the “Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA).”

Bidders are invited, urged, and cautioned to inspect the Property to be sold prior to submitting a bid. More particularly, bidders are invited, urged, and cautioned to inspect the Property as to its condition and any hazardous or environmental conditions relating thereto.

3. NOTICE OF PRESENCE OF LEAD-BASED PAINT (LBP)

The Property was constructed in 1967. Every Purchaser of any interest in real property on which a building was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women.

The State is unaware of the presence of lead-based paint (LBP) associated with the Property either below or above the Environmental Protection Agency "action-level."

Bidders are invited, urged, and cautioned to inspect the Property to be sold prior to submitting a bid. More particularly, bidders are invited, urged, and cautioned to inspect the Property regarding its condition and any hazardous or environmental conditions relating thereto.

4. NOTICE OF ASBESTOS CONTAINING MATERIALS (ACM)

Environmental Management Consultants, Inc. submitted a February 2, 1999 report of Asbestos Containing Materials (ACM) resulting from its inspection and bulk sampling for the presence of asbestos. The Environment Management Consultants, Inc. report is available for bidder review at http://gsd.azdoa.gov.

The State assumes that all materials not included in the foregoing referenced report are asbestos containing. Unprotected or unregulated exposures to asbestos in product manufacturing, shipyard, and building construction workplaces have been associated with asbestos-related diseases. Both the Occupational Safety and Health Administration (OSHA) and the Environmental Protection Agency (EPA) regulate asbestos because of the potential hazards associated with exposure to airborne asbestos fibers. Both OSHA and EPA have determined that such exposure increases the risk of asbestos-related diseases, which include certain cancers that can result in disability or death.

Bidders are invited, urged, and cautioned to inspect the Property to be sold prior to submitting a bid. More particularly, bidders are invited, urged, and cautioned to inspect the Property regarding its asbestos content and condition and any hazardous or environmental conditions relating thereto.

5. NOTICE OF UNDERGROUND FUEL STORAGE TANKS (USTs)

The State is unaware of the existence of any Underground Storage Tanks (USTs) associated with the Property.

Bidders are invited, urged, and cautioned to inspect the Property to be sold prior to submitting a bid. More particularly, bidders are invited, urged, and cautioned to inspect the Property regarding its condition and any hazardous or environmental conditions relating thereto.