

**EPA BROWNFIELDS ENVIRONMENTAL SITE ASSESSMENT GRANT
RIGHT OF ENTRY STATEMENT**

The undersigned property owner submits this Right of Entry Statement, as a condition and in consideration of approval, as a sub-recipient of federal grant funding from the United States Environmental Protection Agency's (EPA) Brownfields Environmental Site Assessment Grant BF 02D09721. This grant was awarded to the City of Tampa, Florida a municipal corporation organized and existing under the laws of the State of Florida, whose address is 315 E. Kennedy Boulevard, Tampa, Florida 33602, (EPA Brownfields Environmental Site Assessment Grant) for the assessment and evaluation of environmental conditions, on the subject property as described herein. Under penalty of perjury, the undersigned owner affirms and certifies the following:

- 1.) The property is located at _____ (street address), Tampa, Florida, _____ (zip code), identified by Hillsborough County with the following Folio Number: _____ and is approximately _____ acres in size (the subject property).
- 2.) Is the full owner of the above-described subject property.
- 3.) It is affirmatively represented that the aforementioned project is not subject to any threat of, or ongoing, judicial, or administrative enforcement action or corrective action pursuant to federal, state or local authority, and/or from a third party, such as a foreclosure proceeding, partition action, and/or divorce action. It is further affirmatively represented that the title to the property is free and clear from any type of lien on the subject property.
- 4.) It is affirmatively represented that there are no open or hidden defects with the property that may cause any type of damage to persons and/or equipment on the property.
- 5.) The City of Tampa, and its environmental consultant, Stantec Consulting Services Inc., and both of their respective employees, agents, officials, consultants, contractors, and/or subcontractors shall have full power and authority to enter onto the subject property, during normal business hours, or as otherwise agreed to by the undersigned property owner, for all purposes in connection with activities funded by the EPA Brownfields Environmental Site Assessment Grant, for evaluation of environmental conditions where environmental contamination may exist at the subject property. This evaluation may include inspection, sampling, testing, and analyses of the test data, test results, production and/or receipt of environmental assessment and/or other reports related to the environmental testing conducted under this environmental site assessment, and which activities, may include, but not be limited to the following activities:
 - a.) to conduct inspections of the subject property which include interviews of persons connected with the subject property, air monitoring, and recording the information through photographs, site sketches, and/or boundary surveys;
 - b.) to conduct environmental tests through geotechnical soil borings, and/or installation of other necessary equipment such as groundwater monitoring wells, to collect waste, soil, surface water, sediment, and/or groundwater samples;
 - c.) to store, remove, and dispose of investigation derived wastes;
 - d.) to use equipment on the subject property, including vehicles and drill rigs, as is necessary to perform the above activities;

**EPA BROWNFIELDS ENVIRONMENTAL SITE ASSESSMENT GRANT RIGHT
OF ENTRY STATEMENT**

6.) It is understood that all environmental assessment reports and/or other reports, copies of test data, test results, and other related information, which are received and/or produced, as a result of the above described environmental assessment and/or evaluation on the subject property, is subject to disclosure under public records laws, and that the City of Tampa, and/or its environmental consultant Stantec Consulting Services Inc., and/or the City of Tampa's Community Redevelopment Agencies (CRA's), may be further obligated under law to report any test data, test results, produced and/or received.

7.) It is further understood that the undersigned property owner is not eligible to receive or be awarded any additional funds by the City of Tampa for redevelopment and/or environmental clean-up, and/or environmental remediation that may be required by the regulatory authorities and/or as otherwise may be recommended on the subject property resulting from any existing and/or discovered environmental contamination through the environmental assessment and evaluation work conducted on the subject property under the federal funding from this EPA Brownfields Environmental Site Assessment Grant.

8.) In consideration, for approval as a sub-recipient, of federal funding from the City of Tampa under the EPA Brownfields Environmental Site Assessment Grant, the undersigned property owner agrees to hold the EPA, City of Tampa, Stantec Consulting Services Inc., CRA's and all of their respective employees, agents, officials, representatives, consultants, contractors, and/or subcontractors harmless, and defend them from all losses, costs, expenses, damages, liabilities, obligations, penalties, fines, actions, causes of actions, suits, and all other claims whatsoever, of any kind or nature, including reasonable attorney fees, brought or made for or on account of any injuries or damages received or sustained by any persons or property, arising out of, occasioned by, or in connections with the award of the above described federal grant funding to the sub-recipient herein to conduct environmental site assessment and/or evaluation of the subject property including, but not limited to entry, inspection, sampling, testing, and analyses of the test data and test results; and production, and/or receipt, and/or disclosure of any test data, test results, and/or any other reports related to the environmental assessment and/or evaluation on the subject property as described herein.

9.) It is affirmatively represented that the undersigned property owner will notify the City of Tampa's EPA Brownfields Environmental Site Assessment Grant Coordinator of any changes to the above information.

10.) It is further affirmatively represented that the undersigned property owner has sought independent legal advice and counsel and had ample opportunity to review and evaluate the potential ramifications and/or consequences related to the environmental assessment and/or evaluation on the subject property as described herein, prior to execution of this Right of Entry Statement.

(Remainder of page intentionally blank, signatures are on following pages.)

**EPA BROWNFIELDS ENVIRONMENTAL SITE ASSESSMENT GRANT RIGHT
OF ENTRY STATEMENT**

PERMISSION TO ENTER

Owner (Printed Name)

Witness (Printed Name)

Owner (Signature)

Witness (Signature)

Date

Date