

## **CLASS ACTION SETTLEMENT AGREEMENT**

This CLASS ACTION SETTLEMENT AGREEMENT ("Agreement") is made this \_\_\_\_\_ day of September, 2007, between Mildred Isabel, Elizabeth Gatlen, and other representative Plaintiffs (to be named in an amended complaint), on behalf of the Settlement Class defined below (collectively "Plaintiffs") and Velsicol Chemical Corporation ("VCC"), a Delaware corporation.

### **Recitals**

WHEREAS, VCC owns and operates a chemical manufacturing facility located on Warford Street, adjacent to Cypress Creek, in Memphis, Shelby County, Tennessee; and

WHEREAS, Plaintiffs are landowners who own real property adjacent to Cypress Creek and downstream of the VCC Memphis plant, or other properties near Cypress Creek as specified below; and

WHEREAS, VCC has been engaged in the investigation and remediation of Cypress Creek and adjacent and nearby properties found to contain dieldrin or related compounds manufactured at the VCC Memphis plant or discharged to Cypress Creek; and

WHEREAS, such investigation and remediation have been carried out by VCC under the oversight of the Tennessee Department of Environment and Conservation (TDEC), along with the United States Environmental Protection Agency (EPA), Tennessee Department of Health, and Memphis-Shelby County Health Department; and

WHEREAS, Plaintiffs have brought a putative class action suit claiming property damage from the release of dieldrin and related compounds by VCC in the United States District Court for the Western District of Tennessee, Memphis Division, styled *Mildred Isabel et al. v. Velsicol Chemical Corporation* (W.D. Tenn. No. 04-2297-DV) ("the Litigation"); and

WHEREAS, Plaintiffs and VCC now wish to fully and finally resolve the Litigation and all property damage claims related to or arising out of operation of the VCC Memphis plant, without admission of liability or fault, subject to the terms and conditions set out below, including express conditions precedent;

NOW, THEREFORE, in consideration of these premises, the mutual covenants set out below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows.

### **Terms**

1. This Agreement represents a full and final settlement of any and all claims for property damage, environmental cleanup, or any other claim of any nature whatsoever, excepting only claims for bodily injury, arising out of the actual or alleged presence of dieldrin or related compounds on, under, or near property owned by Plaintiffs in Memphis, Shelby County, Tennessee, or relating in any way to the operation of VCC's Memphis plant or the release of dieldrin or related compounds from that plant (the "Released Claims"). The Released Claims include but are not limited to all claims (excepting only claims for bodily injury) that were asserted or could have been asserted in the Litigation, including, without limitation, Plaintiffs' claims for trespass, nuisance, negligence, negligence per se, or strict liability that Plaintiffs asserted in their original and amended complaints. The Released Claims also include (excepting

only claims for bodily injury) any cause of action for compensatory damages, punitive damages, injunctive or declaratory relief, statutory penalties, or other theories at law or in equity. The Plaintiffs acknowledge and agree that this Agreement resolves the Released Claims through the date upon which this Agreement has been approved and is final and no longer subject to appeal.

2. In return for the release set out below, VCC agrees to pay to Plaintiffs in settlement of their claims for property damage Two Million Dollars (\$2,000,000.00) within thirty (30) days of the date upon which this Agreement shall have been approved and is final and no longer subject to appeal. In addition, VCC shall pay one thousand five hundred dollars (\$1,500.00) per property within the settlement class definition of section 11 which has tested at or below 0.03 ppm dieldrin, or which has not been tested; provided, however, that such additional payments will not exceed seventy thousand dollars (\$70,000.00) in the aggregate. VCC's duty to pay any settlement amount shall be subject to all conditions precedent set forth below, including those in sections 7-10, below.

3. The settlement funds shall be disbursed by a Court-approved agent in a manner to be proposed by Plaintiffs and approved by the Court. Such proposed distribution shall be filed by Plaintiffs simultaneously with the filing of the Joint Motion for Class Action Settlement Approval discussed below. Such proposed distribution shall include a breakout of attorneys' fees sought by counsel for the settlement class.

4. VCC agrees to pay an amount not to exceed \$30,000.00 for documented and reasonable expert witness fees incurred by Plaintiffs. Such expert fees shall be in addition to the settlement funds described in section 2, above, but shall be paid to Plaintiffs' counsel at the same

time as the settlement funds. In no event shall VCC's total obligations under sections 2 and 4 of this Agreement exceed two million, one hundred thousand dollars (\$2,100,000.00).

5. Upon payment of the settlement funds by VCC, Plaintiffs shall be deemed to have fully and finally released VCC and the related parties described in section 6, below, from and against the Released Claims. The Plaintiffs acknowledge and agree that this Agreement resolves the Released Claims through the date upon which this Agreement has been approved and is final and no longer subject to appeal. In addition, the parties acknowledge and agree that this Release does not apply to any claims that any governmental entities may have related to environmental cleanup on, under, or near property owned by Plaintiffs in Memphis, Shelby County, Tennessee.

6. The released parties described in section 5, above, include Velsicol Chemical Corporation, and its respective officers, directors, employees, shareholders, insurers, parent, subsidiary, and affiliated corporations, and all successors and assigns. All of these released parties shall be entitled to assert the bar of this Agreement as fully as if named as a party.

7. As an express condition precedent to the consummation of this settlement, VCC's insurer shall be required to approve the terms of the Agreement and to confirm its willingness to pay the settlement amount set out in section 2 above. VCC shall use its best efforts to secure such approval within thirty (30) days of the execution of this Agreement. In the event that such approval is not secured within a reasonable time, this Agreement shall be null and void and of no further effect.

8. It is an express condition precedent to the consummation of this settlement that all opt-outs pursuant to Rule 23 shall not collectively own more than ten percent (10%) of the total

number of properties that are listed on Exhibits A and B. In the event that the number of opt-outs exceeds this number, this Agreement shall be null and void and of no further effect.

9. In addition to the condition precedents regarding opt-outs in paragraph 8, it is an express condition precedent to the consummation of this settlement that the total residential assessed property value of the properties owned collectively by all opt outs pursuant to Rule 23 shall not exceed ten percent (10%) of the total residential assessed property value of all properties included in the class definition that are owned by the potential settlement class members who are listed on Exhibits A and B. Assessed property value shall be determined by reference to the 2005 assessment of the Shelby County Assessor's Office. In the event that the value of the assessed property values of the properties owned by all opt-outs exceed this amount, this Agreement shall be null and void and of no further effect.

10. As an express condition precedent to the consummation of this settlement, this Agreement shall receive approval of the United States District Court for the Western District of Tennessee, Memphis Division, under Rule 23(e) of the Federal Rules of Civil Procedure, and such approval shall be affirmed upon any subsequent motions or appeals. In the event that such approval or affirmance is not received, this Agreement shall be null and void and of no further effect.

11. The Plaintiffs covered by this Agreement and constituting the settlement class are as follows:

**The Plaintiff class consists of all individuals, corporations, partnerships, limited liability companies, trusts, or other legal entities (not excluded below) who currently own, or have owned since April 1, 2001, any interest in real property:**

**(a) at or bordering Cypress Creek between Scott Street upstream and the Wolf River downstream; or**

**(b) in the vicinity of Cypress Creek that has been subject to soil testing by Velsicol, TDEC, EPA, or other governmental authorities and has been found to contain detectable levels of dieldrin or related compounds in any amount.**

**Excluded from the class are the City of Memphis, Shelby County, the State of Tennessee, Defendant Velsicol, officers of the Court, and any subsidiary, parent, or affiliated corporation or entity.**

**The properties and owners currently known to the parties to fall within the class definition are set out on Exhibits A and B (attached). The omission of any property falling within the class definition shall not affect its owners' entitlement to the benefits and obligations of this settlement.**

12. Plaintiffs agree and represent that they have or will amend their complaint to name adequate class representatives to represent the interests of all members of the settlement class, including residential and commercial property owners. If such amendments have not been sought previously, they shall be sought by Plaintiffs at the time of filing the Joint Motion for Approval of Class Action Settlement.

13. VCC agrees to bear publication and other notification expenses in connection with the proposed settlement in an amount not to exceed ten thousand dollars (\$10,000.00). Any publication or notification expenses in excess of this amount shall be paid out of the settlement funds.

14. Payment of settlement funds by VCC shall be to an entity to be approved by the Court to disburse the settlement proceeds in accordance with the approved distribution scheme. Such payment shall be made within thirty days of the date upon which this settlement is final and no longer subject to any appeal as of right or discretionary appeal, including any post-trial motions under Rule 59, appeal to the United States Court of Appeals for the Sixth Circuit, or

petition for certiorari to the United States Supreme Court. Such payment shall be made by wire or other commercially reasonable manner to the Court-designated disbursing agent. The Plaintiffs may nominate such agent, with prior approval by Defendant, as part of the parties' Joint Motion for Approval of Class Action Settlement or separately. Any fees for such disbursing agent shall be paid out of the settlement funds.

15. This Agreement shall be governed in all respects by the laws of Tennessee.

16. The parties agree that they will cooperate in the filing of a Joint Motion for Approval of Class Action Settlement within thirty (30) days of the execution of this Agreement. They shall further cooperate in the approval process and thereafter as may be reasonably necessary to effectuate the terms of this Agreement, including the execution of such additional documents as may be reasonably required. This agreement to cooperate shall include granting access for sampling and remediation work and related activities by VCC and its contractors.

17. VCC expressly denies liability to the Plaintiffs for the acts alleged in the original and amended complaints and for any other acts. The parties agree that this Agreement represents the settlement of disputed and doubtful claims and is entered into to avoid the expense, uncertainty, and delay of protracted and complex litigation. Nothing in this Agreement shall constitute an admission or evidence of liability by any party.

18. In the event of failure of any condition precedent, for any reason, whether with or without fault of any party, this Agreement shall be void and no further effect. In that event, the parties shall be free to return to their current position and to assert any right, claim, or defense that they may now have or hereafter acquire. The fact of this settlement and related

communication between the parties shall be subject to Rule 408 of the Federal Rules of Evidence.

19. This Agreement is the joint work product of the parties and their counsel. For the purpose of any rule of construction, it shall be deemed to have been drafted jointly.

20. This Agreement constitutes an integrated contract and no statement, promise, or representation not set out herein forms any part of the parties' bargain.


21. This Agreement may only be amended by a written instrument executed by representatives of both parties.

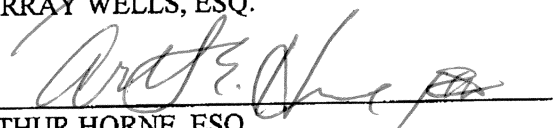
22. The parties hereby represent that the signatories below have full authority to execute this Agreement on behalf of their principals.



23. This Agreement may be executed in two or more counterparts, which collectively shall constitute a single contract.

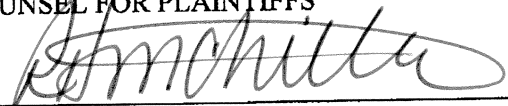
DONE AT MEMPHIS, TENNESSEE, ON THE DATE FIRST WRITTEN ABOVE.

  
MURRAY WELLS, ESQ.

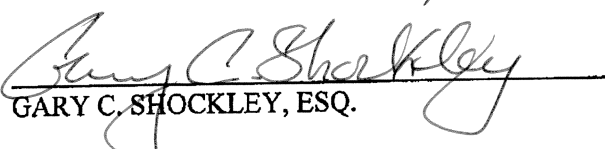
  
ARTHUR HORNE, ESQ.

Horne & Wells, PLLC  
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COUNSEL FOR PLAINTIFFS

  
VELSICOL CHEMICAL CORPORATION

By: ROSS H. McMILLAN  
Title: PRESIDENT & CEO

  
GARY C. SHOCKLEY, ESQ.

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COUNSEL FOR VELSICOL CHEMICAL  
CORPORATION

Table 1 - Properties Abutting Cypress Creek on North Side

Approx. Order, Upstream to Downstream	Parcel ID	Address <sup>1</sup>		Owner's Name	Owner Lives Elsewhere? (i.e., potentially rented, Y-or-N)	On Plaintiff's List? (Y or-N)	Property Class (Zoning <sup>(a)</sup> )	Current Use <sup>(b)</sup>	Property Tested? (Y-or-N) <sup>2</sup>	Representative Dieldrin, mg/kg <sup>3</sup>	Comments	To Appr Value
		Street Number	Street Name									
1	052 052 00005	0	L&N RR	Walnut Grove Associates	Y	N	I/C	Vacant	N	N/A	property straddles creek	\$21,700
1A	052 051 00004	2635	Jackson Ave.	James Massey	N	N	I/C	Whse	N	N/A		\$68,700
3	052 051 00005	2667	Jackson Ave.	William Cockroft	Y	N	I/C	Whse Storage	N	N/A		\$45,100
7	052 058 00047	920	Bingham	Harrison Joyce	Y	Y	Residential	Vacant	Y	47.900	identified for clean up PR	\$27,900
8	052 056 00008	929	Bingham	Danny White	N	Y	Residential	Residential	Y	0.620		\$28,100
9	052 056 00007	933	Bingham	Robert William	Y	Y	Residential	Residential	Y	0.560		\$23,700
12	052 056 00047	0	Meagher	Ruth Britt	Y	N	Residential	Residential	Y	3.500	Part of 948 Meagher 2003 test/identified for clean up PR	\$2,000
13	052 056 00048	948	Meagher	Ruth Britt	Y	Y	Residential	Vacant	Y	3.500	Part of 948 Meagher 2003 test/Derelict house, identified for clean up PR	\$4,000
16	052 026 00015	959	Meagher	Mildred Isabel	N	Y	Residential	Single Family	Y	3.800	PR	\$37,700
17	052 026 00014	961	Meagher	Bertha Armstrong	N	Y	Residential	Single Family	Y	9.300	PR	\$37,700
19	052 026 00012	967	Meagher	Henry Burden	N	N	Residential	Single Family	Y	1.000		\$41,000
20	052 026 00083	1005	Meagher	Christian Chapel Baptist Church		N	Residential	Vacant	Y	0.990		\$22,700
21	052 026 00001	1028	N Hollywood	W.F. Monsarrat, Jr	Y	N	Commercial	Manufct Mill	N	N/A	property straddles creek channel	\$97,200
22	052 025 00003	1027	N Hollywood	Mid-South Cold Forming, Inc.	Y	N	Commercial	Service Grg	Y	5.200		\$77,800
25	042 038 00100	0	Devoy Ave	Ray Sanders	N	N	Residential	Vacant	Y	N/A		\$3,800
26	042 038 00037C	2425	Staten	Ray Sanders	N	N	Industrial	Manufct Mill	Y	N/A		\$187,300
27	042 037 00162C	1083	Hollywood	Ray Sanders	N	N	Industrial	Manufct Mill	N	N/A		\$310,100
28	042 037 00156	2411	Gentry	Nell Gill	Y	N	Residential	Single Family	Y	0.085		\$51,700
29	042 037 00155	2407	Gentry	J N Harvey	N	N	Residential	Single Family	Y	1.000		\$31,100
30	043 037 00154	2403	Gentry	Beverly Richmond	N	N	Residential	Single Family	Y	1.800		\$50,800

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EXHIBIT

A

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		Street Number	Street Name									
31	043 037 00153	2397	Geniv	Marcus Curry Brigham Properties, LLC	N	N	Residential	Single Family	Y	1.300		\$41,600
32	043 037 00152	2393	Geniv		N	N	Residential	Single Family	N	N/A		\$33,400
33	042 037 00164	0	Staten	Hanniyah Syed North	N	N	Residential	Vacant	Y	3.200		\$50,000
34	042 037 00210	0	Vandale	Sherry Harris	N	N	Residential	Vacant	Y	2.000		\$4,800
35	042 037 00209	0	Vandale	Sherry Harris	N	N	Residential	Vacant	Y	2.000		\$4,300
36	042 037 00208	0	Vandale	Sherry Harris	N	N	Residential	Vacant	Y	2.000		\$5,700
37	042 037 00040	2295	Dexter	James Manuel	Y	N	Residential	Single Family	Y	1.600		\$31,000
38	042 037 00039	2289	East Dexter	J B Wright, JR	N	N	Commercial	Duplex	Y	0.800		\$29,700
41	042 037 00027	0	Shasta	Hunter Ave. Missionary Baptist	N	N	Exempt	Vacant	Y	0.580		\$26,800
42	042 037 00198	1208	Springdale	Dorothy Washington Cavanaugh Garden Apartments	Y	N	Commercial	Duplex	Y	0.250	1208 & 1210 Duplex	\$34,000
43	041 033 00024C	1215	Springdale			N	Commercial	Apt Complex	N	N/A		\$387,100
44	041 033 00099	1188	Tunica	I and U Management LLC		N	Commercial	Apt Complex	Y	2.7, 2.0, 0.014	clean up planned on one sub-part PR	\$535,100
45	041 033 00097	2111	Hubert	Lerline Robins	Y	N	Residential	Single Family	Y	0.097		\$29,600
46	041 033 00096	2107	Hubert	CMB Capital Investments	Y	N	Residential	Single Family	N	N/A		\$41,800
47	041 033 00095	2105	Hubert	JP Morgan Chase Bank / Brian Darling	Y	N	Residential	Single Family	N	N/A	websites show different owners	\$38,600
48	041 033 00094	2101	Hubert	Thomas Jordan	N	N	Residential	Single Family	Y	0.260		\$28,300
49	041 033 00093	2097	Hubert	Billy Spencer	N	N	Residential	Single Family	N	N/A		\$29,300
50	041 033 00092	2091	Hubert	Eric Davis / Velma Selders	N/Y	N	Residential	Single Family	Y	0.0031	websites show different owners	\$30,200
51	041 033 00091	2087	Hubert	John Hardaway Sr and Beverly Moore	Y	N	Residential	Single Family	N	N/A		\$22,500
52	041 033 00090	2081	Hubert	Cottrell Armstrong	Y	N	Residential	Single Family	N	N/A		\$22,400
53	041 033 00089	2077	Hubert	Mazie Starks (estate of) and Jerry Starks	N	Y	Residential	Single Family	Y	0.200		\$31,900
54	041 033 00088	2071	Hubert	Ronald Smith	N	N	Residential	Single Family	N	N/A		\$23,000
55	041 033 00087	2067	Hubert	Erma Jenkins	N	N	Residential	Single Family	N	N/A		\$27,600
56	041 033 00086	2061	Hubert	Home Realty Co of Memphis, Inc	Y	N	Residential	Single Family	Y	0.054		\$24,200
57	041 033 00085	2057	Hubert	James Parker	N	N	Residential	Single Family	Y	0.320		\$30,200
58	041 033 00084	2051	Hubert	Herman Fields	N	N	Residential	Single Family	N	N/A		\$23,600
59	041 033 00083	2047	Hubert	Carolyn Bethany	N	N	Residential	Single Family	N	N/A		\$32,800
60	041 033 00082	2041	Hubert	Patricia Bond	Y	Y	Residential	Single Family	Y	0.140		\$27,200
61	041 033 00081	2037	Hubert	Harry Jackson	N	N	Residential	Single Family	Y	0.210		\$28,000
62	041 033 00080	2031	Hubert	Modie Henry and W D Snyder	Y	Y	Residential	Single Family	Y	0.250		\$27,900

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Table 1 - Properties Abutting Cypress Creek on North Side

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		Street Number	Street Name									
63	041 033 00079	2027	Hubert	Charles Black	N	Y	Residential	Single Family	Y	0.260		\$35,400
64	041 033 00078	2021	Hubert	Modie Henry/Bobbie Wilson	Y	N	Residential	Single Family	Y	0.160	websites show different owners	\$36,300
65	041 033 00072	1124	University	Debra Anthony	N	N	Residential	Single Family	Y	0.094		\$24,600
66	041 030 00052	1125	University	Carl Patterson	Y	N	Residential	Single Family	Y	0.230	1135 University	\$29,400
66A	041 030 00050	1135	University	Carl Patterson	Y	N	Residential	Single Family	Y	0.230	Duplex	\$282,800
67	041 030 00068	0	University	Carl Patterson	Y	N	Residential	Vacant	Y	0.230		\$8,400
68	041 030 00064C	1915	Hubert	Johnny London	Y	N	Commercial	Apt Garden	Y	0.093		\$585,600
69	041 030 00001C	0	N McLean Ave	Bulab Realty of Tenn Inc	Y	N	Residential	Vacant	N	N/A		\$7,500
70	041 020 00203	0	McLean Blvd	Nexair	Y	N	Residential	Vacant	Y	1.100		\$19,400
71	041 020 00203Z	0		Nexair	Y	N	Residential	Vacant	Y	1.100	no street name given	\$6,900
72	041 020 00079	1801	Greenview Circle	Gunice Taylor	N	N	Residential	Single Family	N	N/A		\$56,100
73	041 020 00078	1797	Greenview Circle	Hugh Strong Jr.	Y	N	Residential	Single Family	N	N/A		\$43,600
74	041 020 00077	1793	Greenview Circle	Elizabeth Hodges	N	N	Residential	Single Family	Y	0.540		\$45,200
75	041 020 00076	1787	Greenview Circle	Claude & Evelyn Strong	N	Y	Residential	Single Family	Y	2.700	PR	\$61,600
76	041 020 00075	1785	Greenview Circle	Byron Strong / GMAC Mortgage	N/Y	N	Residential	Single Family	Y	0.270	websites show different owners	\$55,100
77	041 020 00074	1779	Greenview Circle	Myrtle Hudson and Myrtle Myers	N	Y	Residential	Single Family	Y	0.500		\$55,200
78	041 020 00073	1773	Greenview Circle	Robert Chism Sr	Y	N	Residential	Single Family	Y	0.650		\$38,300
79	041 020 00072	1769	Greenview Circle	Ollie Ward and Ptosha Coleman	N	N	Residential	Single Family	Y	0.160		\$50,200
80	041 020 00071	1763	Greenview Circle	Nazerina Cash	N	N	Residential	Single Family	Y	0.300		\$49,900
81	041 020 00070	1759	Greenview Circle	James Gilchrist	N	N	Residential	Single Family	N	N/A		\$59,400
82	041 020 00069	1753	Greenview Circle	Linda Pearson	N	N	Residential	Single Family	N	N/A		\$36,000
83	041 020 00068	1749	Greenview Circle	Pamela Steward	N	N	Residential	Single Family	N	N/A		\$25,200
84	041 020 00067	1743	Greenview Circle	James Sullen / Washington Mutual Bank	Y	Y	Residential	Single Family	Y	0.170	websites show different owners	\$57,500
85	041 020 00066	1739	Greenview Circle	Odiestine Herndon Jr	N	N	Residential	Single Family	Y	0.600		\$59,800
86	041 020 00065	1731	Greenview Circle	Willie Cobb Sr / Marian Cobb	N	Y	Residential	Single Family	Y	0.500	websites show different owners	\$52,800
87	041 020 00064	1727	Greenview Circle	Brenda Love / Warliese Horne	N	N	Residential	Single Family	Y	0.310	websites show different owners	\$53,100
88	041 020 00063	1721	Greenview Circle	James Perry / Coral Harris	N / Y	N	Residential	Single Family	Y	0.140	websites show different owners	\$60,400
89	041 020 00228	0	N Evergreen Street	Habitat for Hermit Mid- South, Inc	Y	N	Commercial	Vacant	N	N/A		\$1,400
95	040 025 00007	0	Chelsea	Herbert Lawson	Y	N	Industrial	Vacant	N	N/A		\$39,900
100	070 027 00009		N Watkins	Marvin Massey	Y	N	Industrial	Whrs Storage	N	N/A	property straddles creek channel	\$287,000

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		Street Number	Street Name									
100A	070 027 00006Z	0		Thomas Becktold, Jr.	Y	N	Farm	Vacant	N	N/A	property straddles creek channel	\$800

1. Properties listed came from original list provided by MEC.				
2. Properties tested Y or N comes from MEC. We do not have a Dieldrin value for all properties tested.				
3. Multiple numbers on Dieldrin column indicates multiple tests.				
4. PR in the comment column indicates properties for which remediation has either been completed or it will be completed.				

Table 2 - Properties Abutting Cypress Creek on South Side

Approx. Order, Upstream to Downstream	Parcel ID	Address		Owner's Name	Owner Lives Elsewhere? (i.e., potentially rented, Y-or-N)	On Plaintiff's List? (Y-or-N)	Property Class (Zoning <sup>(a)</sup> )	Current Use <sup>(b)</sup>	Property Tested? (Y-or-N) <sup>2</sup>	Representative Dieldrin, mg/kg <sup>3</sup>	Comments	Total Appraisal Value
		Street Number	Street Name									
1	052 051 00004	2635	Jackson	James Massey		N	I/C	Whse Pre-Eng	N	N/A		\$68,700
2	052 058 00063	0	Jackson	Tanner Acquisition Corporation		N	Commercial	Vacant	Y	N/A		\$11,600
2A	052 052 00003	2718	Pershing	Walnut Grove Assoc.	Y	N	I/C	Mfg Mill	N	N/A		\$1,690,000
3	052 058 00062	0	Liberty	Elbert Smith Jr. and Joe Smith		N	Residential	Vacant	N	N/A		\$6,400
4	052 058 00059C	2620	Liberty	Veronica Johnson	N	N	Residential	Single Family	Y	0.15		\$37,400
5	052 058 00057	892	Russell	Wilbur Murdock	N	N	Residential	Single Family	Y	0.13		\$24,700
6	052 058 00055C	894	Russell	Boshwit Bros Mortgage Co / Barbara Williams, Carolyn Franklin, Yolanda Dickens		Y	Residential	Single Family	N	N/A	websites show different owners	\$29,000
7	052 058 00054	900	Russell	Bernice Thomas	N	Y	Residential	Single Family	Y	0.26		\$31,500
8	052 058 00053	906	Russell	Herbert Poindexter Jr	Y	N	Residential	Single Family	Y	0.16		\$26,600
9	052 058 00052	2600	Russell	Luther Winfield	??	N	Residential	Duplex	N	N/A	websites show PO Box address	\$50,600
10	052 058 00088	0	Bingham	Luther Winfield	??	N	Residential	Vacant	N	N/A	website shows PO Box address	\$2,200
11	052 058 00087	916	Bingham	Luther Winfield	??	N	Residential	Single Family	Y	0.39	website shows PO Box address	\$41,300
14	052 056 00009	915	N Bingham	Elizabeth Gaten	N	N	Residential	Single Family	Y	0.64		\$41,300
15	052 056 00043	928	Meagher	Eddie Boyland	N	Y	Residential	Single Family	Y	0.6		\$24,300
23	052 026 00053	2486	Vollintine	Joanne Eason	N	Y	Residential	Single Family	Y	6.26	PR	\$44,700
24	052 026 00042	2482	Vollintine Cove	Abraham Slaughter Jr	N	N	Residential	Single Family	Y	0.89		\$50,400
25	052 026 00043	2478	Vollintine Cove	Donzell Hykes	N	N	Residential	Single Family	Y	4.86	PR	\$48,200
26	052 026 00044	2472	Vollintine Cove	Wesley Washington	N	N	Residential	Single Family	Y	15.05	PR	\$42,600
27	052 025 00002	995	N Hollywood	Timothy Haynes		N	Industrial	Whrs Storage	Y	N/A		\$251,600
28	042 045 00014	1046	Dawes Street	Joe Wright	Y	N	Residential	Single Family	Y	0.33		\$13,400
29	042 045 00015	1050	Dawes Street	Alfred Binns Jr	Y	N	Residential	Single Family	Y	0.18		\$21,900
30	042 045 00001	1054	Dawes Street	Otha Bins	N	N	Residential	Single Family	Y	0.83		\$29,600
31	042 038 00054	2402	Devoy Ave	Dola Anthony	N	Y	Residential	Single Family	Y	1.97		\$27,000
32	042 038 00099	2403	Staten	Barbara Johnson	N	Y	Residential	Single Family	Y	0.39		\$25,900
33	042 037 00165	2304	Brown	Habitat for Humanity		N	Exempt	Vacant	Y	N/A		\$15,900
34	042 037 00168	0	Springwood Cove	Habitat for Humanity		N	Exempt	Vacant	Y	N/A		\$9,000
35	042 037 00169	0	Springwood Cove	Habitat for Humanity		N	Exempt	Vacant	N	N/A		\$12,200
41	042 037 00033	0	Springdale	Springdale Baptist Church		N	Residential	Vacant	N	N/A		\$7,500
42	042 037 00195	1190	Springdale	Springdale Baptist Church		N	Residential	Vacant	Y	0.43		\$26,700
43	042 037 00196C	1194	Springdale	Alisha Hardy	Y	N	Residential	Single Family	Y	0.53		\$25,200
44	041 033 00026	1193	Springdale	Springdale Missionary Baptist		N	Exempt	Religious	Y	1.2		\$16,200

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Document Author: DKH



Table 2 - Properties Abutting Cypress Creek on South Side

Approx. Order, Upstream to Downstream	Parcel ID	Address		Owner's Name	Owner Lives Elsewhere? (i.e., potentially rented, Y-or-N)	On Plaintiff's List? (Y-or-N)	Property Class (Zoning <sup>(a)</sup> )	Current Use <sup>(b)</sup>	Property Tested? (Y-or-N) <sup>2</sup>	Representative Dieldrin, mg/kg <sup>3</sup>	Comments	Total Appraisal Value
		Street Number	Street Name									
45	041 033 00027	2172	N Hubert Circle	Ernest Small Jr	N	N	Residential	Single Family	Y	0.83		\$19,200
46	041 033 00028	2166	N Hubert Circle	Sam Merriweather	N	N	Residential	Single Family	N	N/A		\$18,500
47	041 033 00029	2164	N Hubert Circle	Martha Jones	N	Y	Residential	Single Family	Y	0.6		\$27,300
48	041 033 00030	2158	N Hubert Circle	Rickie Dunlap	N	N	Residential	Single Family	N	N/A		\$26,700
49	041 033 00031	2154	N Hubert Circle	Memphis 2004.OLP / Dallas Sanders		N	Residential	Single Family	N	N/A	websites show different owners	\$21,900
50	041 033 00032	2150	N Hubert Circle	Wanda Brown	N	N	Residential	Single Family	Y	0.3		\$24,000
51	041 033 00033	2144	N Hubert Circle	John Reames	N	N	Residential	Single Family	N	N/A		\$25,800
52	041 033 00034	2138	N Hubert Circle	Susie Owens	N	N	Residential	Single Family	N	N/A		\$28,900
53	041 033 00035	2134	N Hubert Circle	Bessie Allen	N	N	Residential	Single Family	Y	0.38		\$27,500
54	041 033 00036	2130	N Hubert Circle	Charlyne Brown and Barbara Casey	N	N	Residential	Single Family	N	N/A		\$25,300
55	041 033 00068C	2116	Howell	Curtis Guthrie / GMKK Properties		N	Commercial	Arpt Garden	Y	0.12	websites show different owners	\$150,900
58	041 030 00029	1992	Edward	Michael Key	N	N	Residential	Single Family	Y	0.51		\$74,600
59	041 030 00030	1984	Edward	GMAC Mortgage / Sheba Coleman		N	Residential	Single Family	Y	13.2, 11.5	websites show different owners PR	\$68,000
60	041 030 00031	1978	Edward	Mary White	N	N	Residential	Single Family	Y	12.3	PR	\$55,700
61	041 030 00032	1970	Edward	Horace Warren	N	N	Residential	Single Family	Y	0.74		\$58,000
62	041 030 00033	1964	Edward	Chester Johnson	N	Y	Residential	Single Family	Y	1.56		\$60,000
63	041 030 00034	1956	Edward	Carrie Shelton (trust)	N	Y	Residential	Single Family	Y	1.53		\$62,100
64	041 030 00035	0	Edward	Arena Williamson	Y	N	Residential	Vacant	Y	N/A		\$7,400
65	041 030 00036	1942	Edward	Douglas Malone	N	Y	Residential	Single Family	Y	0.18		\$101,000
66	041 030 00037	1936	Edward	Harry Thompson	N	N	Residential	Single Family	Y	0.25		\$73,300
67	041 030 00053	1930	Edward	Lois Frieson	N	N	Residential	Single Family	Y	0.101		\$71,700
68	041 030 00054	1922	Edward	Jessie Bell	N	N	Residential	Single Family	N	N/A		\$78,000
69	041 030 00055	1914	Edward	Evelyn King	N	N	Residential	Single Family	Y	0.1		\$63,200
70	041 030 00041	1906	Edward	Helen Burns	N	N	Residential	Single Family	Y	0.91		\$83,200
71	041 030 00042	1900	Edward	E. D. Herron	N	N	Residential	Single Family	Y	0.41		\$64,700
72	041 030 00043	1894	Edward	Walter Hill	Y	N	Residential	Single Family	Y	0.11		\$70,200
73	041 030 00044	1884	Edward	Floyd Brown	N	N	Residential	Single Family	N	N/A		\$70,200
74	041 030 00045	1876	Edward	Samuel Upchurch Sr	Y	N	Residential	Single Family	Y	0.84		\$67,200
75	041 030 00046	1864	Edward	Kenneth Curry	N	N	Residential	Single Family	N	N/A		\$68,600
76	041 030 00058	1112	N McLean Blvd	Forrestine Neal	N	N	Residential	Single Family	N	N/A		\$93,100
78	041 020 00230	0	McLean	Vollitine-Evergreen Comm Asso Comm Dev Corp		N	Residential	Vacant	Y	N/A		\$14,000
79	041 020 00204	0	McLean	Vollitine-Evergreen Comm Asso Comm Dev Corp		N	Residential	Vacant	Y	N/A		\$3,600
83	041 020 00047C	1802	Edward	Jeffery Taylor and Ronald Taylor	Y	N	Commercial	Duplex	N	N/A		\$70,200
85	040 042 00214	0	N Watkins	James Chandler	Y	N	Residential	Vacant	N	N/A		\$14,000
85A	070 027 00008	0	N Bellevue Blvd	William Tanner and Patricia Tanner	Y	N	Farm	Vacant	N	N/A		\$1,500

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Table 2 - Properties Abutting Cypress Creek on South Side

Approx. Order, Upstream to Downstream	Parcel ID	Address		Owner's Name	Owner Lives Elsewhere? (i.e., potentially rented, Y-or-N)	On Plaintiff's List? (Y-or-N)	Property Class (Zoning <sup>(a)</sup> )	Current Use <sup>(b)</sup>	Property Tested? (Y-or-N) <sup>2</sup>	Representative Dieldrin, mg/kg <sup>3</sup>	Comments	Total Appraisal Value
		Street Number	Street Name									

1. Properties listed came from original list provided by MEC.
2. Properties tested Y or N comes from MEC. We do not have a Dieldrin value for all properties tested.
3. Multiple numbers on Dieldrin column indicates multiple tests.
4. PR in the comment column indicates properties for which remediation has either been completed or it will be completed.



Table 3 - Properties Not Abutting Cypress Creek That Have Been Tested on North Side

Approx. Order, Upstream to Downstream	Parcel ID	Address <sup>1</sup>		Owner's Name	Owner Lives Elsewhere? (i.e., potentially rented, Y-or-N)	On Plaintiff's List? (Y or-N)	Property Class (Zoning <sup>(b)</sup> )	Current Use <sup>(b)</sup>	Property Tested? (Y-or-N) <sup>2</sup>	Representative Dieldrin, mg/kg <sup>3</sup>	Comments	Total Appraisal Value	Properties Identified by Murray Wells
		Street Number	Street Name										
1	052 058 00046	924	Bingham	Memphis 150 LP 2002	Y	Y	Residential	Single Family	Y	0.67		\$46,200	Y
2	052 056 00006	937	Bingham	Lawrence Seay	Y	N	Residential	Single Family	Y	1.06		\$23,700	Y
3	052 056 00005	943	Bingham	Water Rodgers	Y	N	Residential	Single Family	Y	0.73		\$36,500	Y
6	052 056 00001	954	Meagher	Clifford Miller	N	N	Residential	Single Family	Y	0.91		\$38,200	Y
7	052 057 00030	992	Meagher	United Family Inc		Y	Residential	Single Family	Y	1.02		\$38,800	Y
8	052 026 00011	973	Meagher	Christian Chapel Learning Center Inc		N	Residential	Single Family	Y	0.16		\$25,600	Y
9	052 026 00008	991	Meagher	Larry Sanders	Y	N	Residential	Single Family	Y	0.87		\$32,800	Y
10	042 045 00024	2425	Devoy	Geza Barek	Y	N	Residential	Vacant	Y	0.31		\$4,200	
11	042 037 00151	2391	Gentry	Charles Lanos	Y	N	Residential	Single Family	Y	1.26		\$50,200	Y
12	042 037 00117	2355	Vandale	Rayfield Howell	N	N	Residential	Single Family	Y	0.47		\$23,600	
13	042 037 00116	2351	Vandale	Oss Wickfall	N	N	Residential	Single Family	Y	0.82		\$36,100	
15	042 037 00112	2333	Vandale	Rudolph Jones	Y	N	Residential	Single Family	Y	1.67		\$37,000	
16	042 037 00110	2327	Vandale	Robert Williams Jr	N	N	Residential	Single Family	Y	0.33		\$30,600	
17	042 037 00207	2320	Vandale	Sadie Lenior	Y	N	Commercial	Duplex	Y	0.22		\$45,800	
18	042 037 00043	2307	Dexter	Elmore Crump	N	N	Residential	Single Family	Y	0.084		\$24,700	Y
19	042 037 00042	2301	Dexter	Calie Cottrell	N	N	Residential	Single Family	Y	9.53	PR	\$28,000	Y
20	042 037 00041	2297	Dexter	Thomas Yarbrough	Y	N	Commercial	Duplex	Y	0.636		\$25,600	Y
21	042 037 00203	2263	Shasta	Richard Fleming	N	N	Residential	Single Family	Y	0.33		\$31,500	Y
22	041 033 00073	1130	University	Debra Dale	N	N	Residential	Single Family	Y	0.47		\$34,400	Y
23	041 030 00002	1867	Hubert	Luevenia Haywood	N	N	Residential	Single Family	Y	0.55		\$29,600	
24	040 042 00004C	1605	Eldridge	Harris Properties Inc		N	Commercial	Apartment	Y	0.0055		\$755,600	

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- Multiple numbers on Dieldrin column indicates multiple tests.
- PR in the comment column indicates properties for which remediation has either been completed or it will be completed. Murray Wells includes 999 Bingham on his list, which was not included in this Table 3 as it was not on the creek and although tested, it was a "non-detect" for all compounds. Murray Wells includes 945 Bingham on his list, which was not included in this Table 3 as it was a "Shelby County Tax Sale" property.

Table 4 - Properties Not Abutting Cypress Creek That Have Been Tested on South Side

Approx. Order, Upstream to Downstream	Parcel ID	Address <sup>1</sup>	Owner's Name <sup>2</sup>	Owner Lives Elsewhere? (i.e., potentially rented, Y-or-N)	On Plaintiff's List? (Y-or-N)	Property Class (Zoning <sup>3</sup> )	Current Use <sup>(b)</sup>	Property Tested? (Y-or-N) <sup>4</sup>	Representative Dieldrin, mg/kg <sup>5</sup>	Comments	Total Appraisal Value	Properties Identified by Murray Wells
1	052 056 00010	909 Bingham	Charles Bell Jr	N	Y	Residential	Single Family	Y	0.53		\$21,000	Y
2	052 056 00042	924 Meagher	Glorne Houston	N	N	Residential	Single Family	Y	0.67		\$27,500	Y
3	052 056 00040	914 Meagher	John Norfleet	N	Y	Residential	Single Family	Y	0.46		\$48,400	Y
4	052 056 00024	925 Meagher	Otto Carnes, Loretta Harty, Betty Minter	N	Y	Residential	Single Family	Y	0.58		\$36,00	Y
6	052 056 00065	2487 Dana Drive	Arnold Dormer Jr	Y	N	Residential	Single Family	Y	ND *	* No dieldrin, but one other compound identified	\$40,600	Y
7	052 056 00054	2486 Dana Drive	Mary Dorsey	N	N	Residential	Single Family	Y	3.53	PR	\$45,400	Y
8	052 056 00055	2482 Dana Drive	Marie Person	N	N	Residential	Single Family	Y	ND **	** No dieldrin but four other compounds identified	\$36,300	Y
9	052 026 00051	2481 Volintine Cove	Edward Parker	N	N	Residential	Single Family	Y	0.0029		\$32,600	Y
10	052 026 00052	2485 Volintine Cove	Willie Briggs	N	N	Residential	Single Family	Y	0.52		\$33,800	Y
11	052 026 00045	2466 Volintine Cove	Terry Mason	N	N	Residential	Single Family	Y	3	PR	\$44,800	Y
12	052 026 00046	2460 Volintine Cove	James Cooper	N	N	Residential	Single Family	Y	2.6	PR	\$54,700	Y
13	042 045 00009	1034 Dawes	Shirlene Moore	N	N	Residential	Single Family	Y	0.41	042 045 00009, 042 045 00011	\$3,500 & \$41,100	Y
14	042 045 00013	1042 Dawes	Emma Lee Carter	Y	N	Residential	Single Family	Y	1.34		\$20,200	Y
15	042 038 00096	2399 Staten	Kate Smith	N	N	Residential	Single Family	Y	0.17		\$24,400	Y
16	042 038 00013	0 Brown	VECA CDC		N	Residential	Vacant	Y	0.05		\$3,000	
18	041 029 00178	1953 Edward Cove	Albert Wade	N	N	Residential	Single Family	Y	0.06		\$75,700	
19	041 029 00178	1939 Edward Cove	Dorothy Townsel	N	N	Residential	Single Family	Y	0.0016		\$73,900	
20	041 029 00174	1929 Edward Cove	Roscoe Wilks Jr	Y	N	Residential	Single Family	Y	ND *	* No dieldrin, but one other compound identified	\$70,300	
21	041 030 00056	1858 Edward	Ephron Lewis	N	N	Residential	Single Family	Y	0.13		\$79,700	Y
22	041 022 00016	0 Edward	Rebecca Bennett	N	N	Residential	Single Family	Y	0.0028		\$7,400	Y
23	041 020 00043C	1822 Edward	Sherry Sanders and Dorothy Sanders	N	Y	Residential	Single Family	Y	1.02		\$82,900	Y
24	041 020 00047C	1804 Edward	Jeffery Taylor and Ronald Taylor	N	N	Commercial	Duplex	Y	1.19	tax assessor list address as 1802	\$70,200	
25	041 020 00054	1772 Edward	Ethel Crowder in care of Shirley Jenkins	Y	N	Residential	Duplex	Y	1.6		\$63,300	Y
26	041 020 00057	1754 Edward	Karen Williams	Y	N	Residential	Single Family	Y	1.65		\$52,700	
27	041 020 00216	0 Evergreen	Habitat for Humanity		N	Residential	Vacant	Y	0.53		\$7,000	
28	040 042 00168	1080 Maury	Joyce Kneeland	Y	N	Commercial	Duplex	Y	0.757		\$70,700	
29	040 042 00219C	1075 Maury	Leif Houkom	Y	N	Residential	Single Family	Y	4.79	PR	\$68,800	

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- PR in the comment column indicates properties for which remediation has either been completed or it will be completed.