

SOLICITORS

42-44 Waterloo Street Birmingham B2 5QN
Telephone: 0121 200 3343
Fax: 0121 200 3360 DX: 13030 CIS Mail: 100565, 2013

Your Ref

Our Ref

Date C9091/M/YM/KYPRIANIDE
AJO/SL/ESSO/23502
2nd January 1996

Messrs Peter Michael & Co.
Solicitors
MDX: 34313
SOUTHGATE

BY FAX : 0181 882 4049

Dear Sirs,

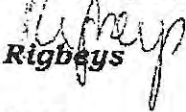
Re: **Court Service Station**

We refer to our letter dated 15th December and now enclose a copy of a letter dated 18th December from Quest to our Client Company in satisfaction of our point number 1.

In relation to our point number 4, our Clients are not prepared to undertake any further works and, of course, the Contract between our respective Clients imposes no obligation upon Esso so to do.

Since the provisions of the Contract have now been complied with completion of the purchase of the property by your Clients must take place without delay namely by no later than Tuesday 9th January which should give you enough time to sort out your Clients mortgage.

Yours faithfully,


Rigbys

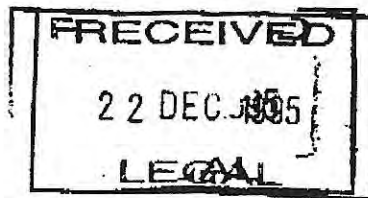
encs.

QUEST

QUEST Environmental
Straight Mile House
Tilford Road
Rushmoor
Farnham
Surrey GU10 2EP

Tel: 01252 794900
Fax: 01252 795558

Esso Petroleum Company Limited
% 10 Dickens Way
Horsham
West Sussex
RH13 6BQ



18 December 1995

Ref: 01/3400JE 333

For the attention of Mr R. Gibson

Dear Sirs,

Re : Court Service Station, Kentish Town, London

In response to Michael & Co's letter 19091.M/YM Kyprianides dated 13th December 1995, please find below clarification of the content of QUEST reports on works conducted at the above site.

A certificate stating the level of residual contamination is requested in the Michael & Co letter (para 2). Similarly, it is requested that the levels of contamination arising from analysis of soil samples from the rear of the workshop and beneath the workshop are made available (para 3).

Our Site Decommissioning Survey, 01/333 - 10/95 dated October 1995 documents the concentrations of residual petroleum hydrocarbons at sampling points beneath the forecourt area. The residual concentrations are presented by way of the results of field analysis of soil samples at 19 locations in this area.

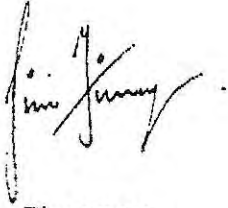
No sampling of ground to the rear of the existing site building was conducted in the course of the works documented in the site decommissioning report. However, our initial Environmental Site Investigation report, 01/333 - 09/95 dated September 1995 includes the results of analysis of samples of soil gases, soil and water from locations to the rear of the existing site building and beneath the workshop facility. We refer in particular to the following sampling locations: borehole BH6 and soil vapour bores VP18; VP19; VP20; VP21; VP22; VP23; VP24

QUEST Environmental Services and Technology Limited

Head Office: 1 Chalk Hill House, 19 Rosary Road, Norwich, Norfolk NR1 1SZ. Tel: 01603 767440 Fax: 01603 767441
Company Registration No. 2831282 VAT No. 640 3102 95

If you require any clarification regarding any aspects of this report, please do not hesitate to contact me.

Yours faithfully,



Jim Fynamore

For QUEST Environmental Services and Technology Limited

- cc Mr C. Leather Esso Petroleum Company Limited
- Mr M. Wilson Esso Petroleum Company Limited
- Mr M. Smith Esso Petroleum Company Limited



Esso Petroleum Company, Limited

Mailpoint 22
Esso House
Ermyn Way
Leatherhead
Surrey KT22 8UX

Switchboard: 0372 222000/223000
Cables: Essopet London SW1
Telex: 24942
Facsimile: 0372 222556

Direct Line: 0372 22 2465

Mr A Kyprianides
160a Malden Road
Kentish Town
London
NW5

20 January 1995

Dear Andy

Re: Court Service Station.

I thank you for your letter of 17th inst regarding the sale of Court Service Station.

I have today forwarded details of your solicitors to our legal department and they will be instructing our solicitors to progress with the sale of the property.

I agree that you will be able to retail fuel until the expiration of your tenancy agreement, that is until 30th June 1995, immediately after that date the tanks etc will be removed and the ground made good.

I look forward to seeing you again in the not too distant future.

Yours sincerely

Mike D Smith.
Area Manager, Investment.
Retail

MDS/mds

cc: Legal dept;

RIGBEYS

SOLICITORS

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Telephone: 0121 200 3343

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Messrs. Peter Michael & Company
Solicitors
DX NO. 34313
Southgate

Your Ref

C9091/M/YM/KYPRIANID

Our Ref

CJP.AJO.JMP.ESSO.23502

Date

15th September 1995

Dear Sirs,

RE: Esso Petroleum Company Limited to Kyprianides
Court Service Station St. Pancras

We thank you for your letter of the 14th inst. upon which we are taking our clients' instructions. In the meantime we enclose copy of report which we have today received from our clients given by Quest Environmental Services and Technology Limited.

With reference to our previous correspondence concerning the decontamination of the site we are, in accordance with our clients' instructions, investigating your clients' obligations as tenant of the property. Our clients inform us that the work of removing the tank should be completed in the very near future and as your client is already in occupation he will of course be able to inform you once completion of these works has finally taken place.

Our clients have further reiterated that the contract does not in any way give any warranties regarding the decontamination process but that it is our clients' policy (reserving where necessary and appropriate the right to pursue any claim against any individual otherwise responsible) to remove such contamination as far as it is possible and this has always been made clear that any works of decontamination carried out by our clients will only make the property suitable for commercial use.

Yours faithfully,

RIGBEYS 

Court Service station - Disinvestment

Minutes of pre contract meeting held on site 16/08/95

Attendees:-

R. Gibson	Esso Pet. Co. Ltd.
M. Smith	Esso Pet. Co. Ltd.
B. Humm	Petroleum Officer L.F.C.D.A.
F. Parkes	Stiffel & Wilson
B. Sheen	Stiffel & Wilson
A. Kyprianid	Licensee

SAFETY PLAN

It was stated that the Esso Safety Rules for Contractors would apply during the contract and a copy would be available if requested.

The working area is to be securely fenced at all times, with signs indicating, Danger Work in Progress, No Smoking and Safety Hats must be worn.

The site is to remain a no smoking area for the duration of the works.

The contractor must maintain an accident and incident book on site, with any time losing accident reported to the Esso Engineer or the Retail Maintenance Centre within 12 hours.

The location of the electrical supply duct is to be recorded on site and precautions taken to avoid damage.

The pumps are to be removed and the lines drained back to the tanks.

The tanks bottomed out and water filled.

The Contractor is to ensure that a gas free certificate is issued before cold cutting of the tanks.

David Plumb Ltd. to be employed to remove and dispose of tanks. They must provide a method statement to cover the scope of their works.

The Contractor was advised that all tanks and lines had passed a leak test 1 year ago but contamination must be expected as there is a record of a previous line leak and clean up operation in the area of the interceptor approx. 4 years ago.

Quest Environmental will carry out a soil vapour survey and report prior to the the work commencing.

PROGRAMME

The Contractor is to provide a method statement and a programme for the works.

The work is to start on Tuesday 29th. August for approx. 2 weeks depending on extent of contamination and remedial works required.

The Esso Area Manager to arrange for a tanker to uplift any product and return to the terminal for credit noon 29th. August.

Mr. Kyprianid is to carry on operating the workshops and access must be maintained if possible. It was stated that it may be necessary to close the workshop if work was required to treat the contaminated area by the interceptor.

A contribution of £1250 is to be made towards permanent fencing of the site.

The Contractor is to provide a quote for 2 metre high chain link fence with gates at each x-over.

The forecourt is to be reinstated as existing.

The forecourt interceptor is to be left in place unless treatment of contamination dictates that it be removed. Mr. Humm advised that an interceptor would not be required for the future use of the site.

DISTRUBUTION

M. Smith
B. Humm
S. Whatley
A. Kyprianid
W. Cavender
F. Parkes

PETER MICHAEL & Co.

Solicitors

52A CHASE SIDE,
SOUTHGATE,
LONDON N14 5PA
Telephone: 0181-886 4491

Our Ref: C9091/M HM/KYPRIANIDES

Your Ref:

DX: 34313 Southgate

Fax: 0181-882 4049

20th December 1995

Mr and Mrs Kyprianides
427 Cockfosters Road
Hadley Wood
Herts

Dear Mr and Mrs Kyprianides

RE: Court Service Station - 160 Malden Road, London NW5

I enclose herewith copy of a letter I have forwarded to the solicitors acting for Esso together with a copy of their reply.

I shall communicate with you again immediately I have any further news.

Yours sincerely


M. LIASIS

PLEASE NOTE THAT THESE OFFICES WILL BE CLOSED AT 12.30 P.M. ON FRIDAY 22ND DECEMBER 1995 AND WILL RE-OPEN ON TUESDAY 2ND JANUARY 1996 AT 9.30 A.M

PETER MICHAEL & Co.

Solicitors

52A CHASE SIDE,
SOUTHGATE,
LONDON N14 5PA
Telephone: 0181-886 4491

Our Ref: C9091/M/YM/KYPRIANIDES

DX: 34313 Southgate
Fax: 0181-882 4049

Your Ref: AJO/SL/ES/23502

13th December 1995

Messrs. Rigbeys
DX: 13030
CIS MAIL: 100565, 2013

Dear Sirs,

RE: Court Service Station

We hasten to inform you that we are currently experiencing difficulty with the release of mortgage funds arising from the report from Quest and whilst we appreciate what you say in your letter of the 4th December that your clients are not prepared to carry out any further works at the site certain further additional information is required before mortgage funds can be released to complete this matter as follows:-

1) Our client has spoken to the Petroleum Inspector who informs him that your client should have been provided with a Certificate stating the level of residual contamination so that this can be available for inspection by any local or other authority if required. Please therefore obtain such certificate form Quest from your client as soon as possible.

2) The Report from Quest does not indicate any decontamination undertaken in respect of the rear of the workshop and beneath the workshop. Our client informs us that samples were taken and we shall be grateful if you will let us have a note of the levels of docontamination arising from analysis of the soil samples from these specific areas.

We have spoken with the Petroleum Inspector who has informed us that it is standard practice for a Certificate in the above terms to be issued following the discontamination of a site such as this and we shall be obliged if you would arrange for such certificate to be faxed to us as a matter of urgency so that we can proceed to completion.

Further matters have also been drawn to our attention namely the fact that one old tank has not been removed and we shall be grateful if you will let us have your clients explanation for this.

Additionally, the resurfacing works at the property have not been completed satisfactorily. The resurfaced tarmac area

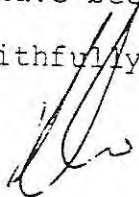
is very uneven resulting in concentration of pools of water whenever it rains. Your clients cannot of course inspect to verify the position. Please confirm that the necessary remedial measures will be taken. In this connection we refer you to clause 20 of the contract and to paragraph 3 of your letter of the 28th July.

Finally, we are instructed that your clients have agreed to contribute the sum of £1,250 towards the cost of the fencing of the site. Please let us know whether your clients wish us to deduct this from the balance of the purchase price or whether they will be forwarding a cheque separately to our client for this amount.

Of course, our client reserves the right to raise any further matters arising from the works at the property between exchange of contracts and completion.

Our client needless to say, is anxious to complete this matter without delay but cannot do so until the above matters have been dealt with.

Yours faithfully



PETER MICHAEL & COMPANY

RIGBEYS

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Messrs Peter Michael & Co.
Solicitors
MDX: 34313
SOUTHGATE

Your Ref C9091/M/YM/KYPRIANIDE

Our Ref AJO/SL/ESSO/23502

Date 15 December 1995

Dear Sirs,

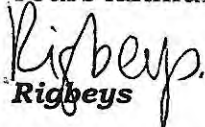
Re: **Court Service Station**

We refer to your letter dated 13th December upon which we have now obtained our Clients instructions. There has been some slight delay and we apologise but this has been due to the fact that our contact at Esso has been off sick all week. Our Clients instructions are as follows :-

1. Our Clients have contacted Quest Environmental requesting that they produce the Certificate/Confirmation which you require. They await hearing from them.
2. No soil samples were taken either from underneath the workshop or from the land to the rear as access could not be gained to either of these areas. Your Client accordingly has incorrect information.
3. Our Clients have confirmed that one old tank still remains in situ. This is because agreement had been reached between our respective Clients that before any tanks were removed, your Clients would remove all the oil from them in advance. Your Client apparently did not remove the oil from the remaining tank and for this reason it has not been removed.
4. In relation to the re-surfacing works, our Clients Contractor has been sent on site to inspect and we await further instructions.
5. The £1,250.00 contribution towards fencing costs is not to be deducted from the purchase price on completion. Our Clients engineer will deal with this direct by way of a separate cheque.

We shall be in touch with you again very shortly.

Yours faithfully,


Rigbeys

cc. Martin Green - Esso Petroleum

CONTRACT: COURT SERVICE STATION
DISINVESTMENT

DATE: 25TH SEPTEMBER 1995

PRESENT: W.J. CAVENDER - ESSO PETROLEUM
F. PARKES - STIFFELL & WILSON
A. KYPRIANIDES - LICENCEE

PROGRESS

1. Work started on site Tuesday 29th August. Tanks were lifted out and removed from site by Friday 8th September.
2. Quest attended site on Monday 11th September and carried out further exploratory work over the next four days. They then advised that the most appropriate way to clean the site would be to remove the contaminated soil to a depth of 1.5m at one end of the site, increasing to 2m at the other end.
3. Pending an estimate of costs for this work the Contractor was instructed to fill the tank excavations to improve the safety of the site, then to fence off and leave site. The Contractor pulled off site on Friday 16th September.
4. Work re-started on Wednesday 20th September when all the arrangements were in place for a licenced tip to receive some 600Cu.M of contaminated spoil.
5. The Quest Engineer attended site on Thursday 21st September and requested that the excavation be increased to 2.4m due to high concentrations of hydro-carbons in some places. At the mid point of the site the excavation was measured at 2.1m.
6. By 11am Monday 25th September 34 loads had been removed from site and 16 loads of clean fill deposited.

PROGRAMME

1. It was estimated that new fill could be in place upto the edge of the workshop by the end of Friday 29th September.

2. Mr. Kyprianides was informed that excavations in front of the work-shop would start first thing on Monday 2nd October and, provided that the spoil to be taken out is as estimated, access to the work-shops over compacted fill would be available from first thing Thursday morning, 5th October.
3. Mr. Kyprianides stated that he would close his operation down for the whole of the week commencing 2nd October, thus making an allowance for any unforeseen difficulties.

SITE INSTRUCTIONS

1. The Contractor was instructed to break out the concrete adjacent to the interceptor and in front of the work-shop and to start excavations in that area. Mr. Cavender will attend site on Monday 2nd October to view the condition of this area.
2. Mr. Kyprianides requested that the whole site be reinstated with concrete paving. Mr. Gibson's instructions are required.
3. The specification allows for 224 SqM of concrete paving to be laid and Mr. Kyprianides asked that this area be laid in front of the work-shop and T.B.A. shop, and not down the centre of the site as existed. Mr. Gibson to advise.
4. Mr. Cavender confirmed that the site strip should commence no closer than 1m to the footpath but agreed with the Contractor that, instead of a 45 degree batter to the full depth of the dig, it should be terraced thus permitting the removal of contaminated brick foundations.
5. Mr. Parkes was asked to update his method statement to reflect the additional work to be carried out and, in particular, to describe the method of protecting the incoming mains cable when excavating and backfilling around it.

W.J. CAVENDER
26TH SEPTEMBER 1995
TEL/FAX. 01727 872359
MOBILE 0860 222150

DISTRIBUTION

Mr. R. Gibson	-	Esso Petroleum
Mr. M. Smith	-	Esso Petroleum
Mr. F. Parkes	-	Stiffell & Wilson Ltd.
Mr. S. Curwen	-	Quest Environmental
Mr. A. Kyprianides	-	Licencee

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