

April 3, 2007

Douglas K. Clary
Area Specialist
USDA Rural Development
3705 Miller Parkway, Suite A
Manhattan, KS 66502-7546

Dear Mr. Clary,

The Kansas Geological Survey (KGS) has received USDA Rural Development's (USDA) March 20, 2007 request for an inter-governmental agency review on a USDA Rural Economic Development Loan project for the construction of a proposed grocery in Basehor, KS (site). Upon completion of the agency review, USDA will obligate funds to the First State Bank and Trust of Basehor, which will finance a third party, Benchmark Enterprises, LLC, for the construction of the proposed grocery store. A summary of regional geologic information available at the KGS is included below.

The site is located at Basehor, Leavenworth County at the Southeast Quarter of Section 2, Township 11S, Range 22E. The proposed grocery store is a 40,000 sq. ft. facility located on a 5.5 acre lot within a larger 36 acre retail development parcel known as Wolf Creek Junction. It is generally located at the northeast corner of 155th St and State Avenue in Basehor.

The site is located within the glaciated region of Kansas. The topography consists of rolling, incised, upland hills above the Missouri River to the east and the Kansas River to the south. Unconsolidated Pleistocene age glacial drift and consolidated Pennsylvanian age limestone and shale underlie the site. Portions of Leavenworth County have steep slopes and may be prone to localized slumping or mass movement within the overlying soil mantle or weathered shale units.

Soils at the site are within the Grundy-Pawnee-Shelby association, mostly USC classified as CL but some soil horizons are CH with severe shrink-swell potential. Some of these soils are severely wet, poorly drained, and have fair to poor bearing capacity for lightly loaded structures with basements.

The regional geologic information presented above along with the project summary and topographic map provided by USDA indicates that some soils at the site may have a high shrink-swell potential and poor bearing capacity, which could result in adverse settlement and expansion of a lightly loaded structure, such as the grocery store. Steep slope gradients and wet soils can lead to localized slope failure in some parts of the Leavenworth County. The engineering properties of the soil and slope gradients should be considered during the design and construction phase by the applicant. But overall, there are no unduly adverse geologic conditions that should affect this project. A completed request for comments form is enclosed.

This letter is an assessment based on the regional geologic conditions available at the KGS at the time of writing and cannot be used in substitute of a detailed site characterization. Other geologic conditions, not discussed herein, or for which the KGS has no knowledge, may affect the viability or safe operation of this facility or property. It is the responsibility of the applicant to provide any necessary characterization, geotechnical or environmental testing, or design by a licensed professional geologist or engineer to complete the project.

Sincerely,



Shane Lyle, RG
Geology Extension Coordinator

Enclosure

cc: Dan Suchy, KGS Data Resources Library

Comments by:
Kansas Geological Survey
Attn: Bill Harrison, Director
1930 Constant Avenue
Lawrence, KS 66047

TRANSMITTAL DATE: March 20, 2007

PROJECT TITLE: Benchmark Enterprises, LLC
First State Bank and Trust, Basehor, Kansas

CONTACT PERSON:

☐ Notification of Intent
☒ Preapplication
☐ Final Application
☐ Direct Development

This form provides notification and the opportunity for your agency to review and comment on this proposed project required by Executive Order 2372. Please complete Parts II & III as appropriate. Your prompt response will be appreciated.

RETURN TO:
USDA, RURAL DEVELOPMENT
3705 Miller Parkway, Suite A.
Manhattan, KS 66502-7546
Attn: Doug Clary

PART I

REVIEW AGENCIES/COMMISSIONS

☐ Aging	☐ Education	☐ State Forester
☐ Agriculture-DWR	☒ Geological Survey, KS	☐ Transportation
☐ Biological Survey, KS	☐ Health & Environment	☐ Water Office, KS
☐ Conservation Commission	☐ Historical Society	☐ Wildlife & Parks
☐ Corporation Commission	☐ Human Resources	☐ _____
☐ Commerce	☐ Social & Rehab. Services	☐ _____

PART II (To be completed by review agency and returned to contact person)

AGENCY REVIEW COMMENTS:

~~Add~~ Assess site soil & slope conditions during design & construction

PART III (To be completed by review agency and returned to contact person)

RECOMMENDED ACTION COMMENTS

☒ Clearance of the project should be granted.	☐ Clearance of the project should not be delayed but the Applicant should be (in the final application) address and clarify the questions or concerns indicated above.
☐ Clearance of the project should not be granted.	
☐ Clearance of the project should be delayed until the issues or questions have been clarified.	☐ Request the opportunity to review final application prior to submission to the federal funding agency.
☐ Request a State Process Recommendation in concurrence with above comments.	

Reviewer's Name SL [Signature] DIVISION/AGENCY/COMMISSION _____ Date 4-3-07

Please fax this form to 785-539-2733, as soon as possible. Thank you!



**United States Department of Agriculture
Rural Development**

March 20, 2007

Kansas Geological Survey
Attn: Bill Harrison, Director
1930 Constant Avenue
Lawrence, KS 66047

RE: Benchmark Enterprises, LLC.

To Whom It May Concern:

First State Bank and Trust of Basehor, Kansas is in the process of submitting an application to USDA, Rural Development to assist Benchmark Enterprises, LLC with the construction, equipment and inventory needed for operation of a new full line grocery store to be located in Basehor, Kansas. This store will be located in the general location of the Northeast corner of 155th Street and State Avenue. The legal description and a site made of the property are both attached for your convenience.

The building project will include a 40,000 sq. ft. full line grocery store to be located on 5.5 acres. This is to be one of many retail, office and restaurant location in the planned 36 acre development to be known as Wolf Creek Junction.

This letter is providing notification of the above-proposed project, as well as the opportunity for your agency to review and comment on the proposed project as required by Executive order 12372.

More specific information describing the proposal may be obtained from the following contacts:

APPLICANT

First State Bank
Attn: Lynn McClure
1106 N 155th Street
Basehor, KS 66007
913-724-2121

ULTIMATE RECEIPIENT

Benchmark Enterprises, LLC
Attn: Ed McIntosh
PO Box 516
Basehor, KS 66007
913-208-5826

Please provide your comments to this office, Attention: Douglas K. Clary, Area Specialist, no later than **April 19, 2007**. Faxed responses are acceptable.

3705 Miller Parkway • Manhattan, KS 66503
(785) 776-7582 • Fax (785) 539-2733 • www.rurdev.usda.gov/ks

Committed to the future of rural communities

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Kansas Geological Survey
RE: Benchmark Enterprises, LLC

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Rural Development will not obligate funds for this project until we have completed an Environmental Assessment of the project.

Sincerely,

A handwritten signature in black ink, appearing to read 'DKC', with a stylized flourish extending from the end.

DOUGLAS K CLARY
Area Specialist

DKClary:dc

Enclosures

Parcel Description:

Commencing at the Southwest corner of the Southeast Quarter of Section 2, Township 11S, Range 22E in Basehor, Leavenworth County, Kansas; thence along the West line of said quarter section N 2°04'44"W a distance of 841.98'; thence N 88°31'33"E a distance of 592.08' to the Point of Beginning of the tract to be described; thence S 1°51'07"E a distance of 440.06'; thence along a non tangent curve to the right having a radius of 530.00', a central angle of 1°15'49" and a chord bearing of S 72°54'01"E an arc length of 11.69'; thence S 72°16'06"E a distance of 185.06'; thence along a curve to the left having a radius of 470.00' and a central angle of 38°25'14" an arc length of 315.17'; thence N 69° 18'40" E a distance of 74.44'; thence N 1°26'10"W a distance of 480.13'; thence S 88°31'33"W a distance of 568.65' to the Point of Beginning, containing 6.53 acres, more or less, subject to easements and restrictions of record.



EXHIBIT B-1