

Georgia Department of Natural Resources

2 Martin Luther King Jr. Drive, SE, Suite 1462 East Atlanta, Georgia 30334

Noel Holcomb, Commissioner

Environmental Protection Division

Carol A. Couch, Ph.D., Director

Hazardous Waste Management Branch

404-657-8600

February 11, 2009

CERTIFIED MAIL

Return Receipt Requested

Toyoko Inn Atlanta, LLC
c/o Mr. Shinya Yamamoto
Masuda, Funai, Eifert & Mitchell, Ltd.
203 N. LaSalle Street
Suite 2500
Chicago, IL 60601

RE: HSI # 10899
90-94 Forsyth Street and 85 Luckie Street
Tax Parcel No. 14-0078-0012-057-4
Atlanta, Fulton County, Georgia 30303

Dear Mr. Yamamoto:

The Georgia Environmental Protection Division (EPD) has reviewed your May 9, 2008 release notification for the above referenced site and has listed this site on the Hazardous Site Inventory pursuant to Section 391-3-19-.05(1) of the Rules for Hazardous Site Response (available at www.gaepd.org).

Enclosed is a document entitled "Introduction to the Hazardous Site Inventory" that explains how sites are listed. Also enclosed is a printout of the data EPD used in the Reportable Quantity Screening Method that resulted in this site being listed on the Hazardous Site Inventory.

Although EPD will eventually identify all persons who may be responsible for this site and ask them to investigate and clean it up, you may proceed with those actions at any time.

If you have any questions or comments regarding this site, please contact Renee Hill at (404) 657-8600.

Sincerely,



Carol A. Couch
Director

c : Carl Dawes, Weaver Boos Consultants

Enclosures: (1) HSI site data printout
(2) Introduction to the HSI

File: HSI # 10899

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Hazardous Sites Response Program

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RETURN RECEIPT REQUESTED

Lenox Cooper Lake, LLC
c/o Mr. Richard H. Alterman
6095 Lake Forrest Drive, Ste. 150
Atlanta, Georgia 30328

RE: Sub-listing of Site on the Hazardous Site Inventory/
Limitation of Liability for
Tax Parcel ID No. 18004200590 (Tract A)
Cooper Lake Road and Veterans Memorial
Highway, Mableton, Cobb County
HSI Site Number:10864

Dear Mr. Alterman:

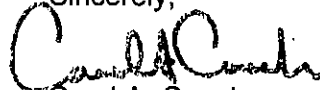
Based upon information provided in your Prospective Purchaser Compliance Status Report (PPCSR) for the Cooper Lake Property site, submitted December 18, 2008, the Georgia Environmental Protection Division (EPD) agrees that the contamination on Tax Parcel ID No. 18004200590 (Tract A) is associated with releases on an adjacent property, Tax Parcel ID No. 18004200110 (Tract C). **Therefore, I have determined that your property, Tax Parcel ID No. 18004200590 (Tract A), located at the intersection of Cooper Lake Road and Veterans Memorial Highway, Mableton, Cobb County, GA will be sub-listed as part of the Former Cobb County Tool and Engineering / aka Cooper Lake Property (HSI # 10864).**

EPD hereby extends the limitation of liability to Lenox Cooper Lake, LLC provided for in Section 12-8-207 of the Act granted to Tax Parcel ID No.18004200110 for the preexisting releases at Tax Parcel ID No. 18004200590 (Tract A). This limitation of liability is subject to all conditions as set forth in the Act. A qualifying release of regulated substances has not been detected on Tax Parcel Number 18004200120 (Tract B), therefore, a limitation of liability for that parcel cannot be granted at this time.

Section 391-3-19-.06(3)(a) of the Rules for Hazardous Site Response (Rules) states that the responsible parties for the site must fully delineate the extent of contamination. In order to complete this task, these responsible parties may need access to Tax Parcel ID Nos. 18004200590 and 18004200110. In the event that access onto or across these properties is requested, I would urge your cooperation.

Please direct questions you may have regarding this matter to Mr. John Maddox of the Hazardous Sites Response Program at (404) 657-8600.

Sincerely,



Carol A. Couch
Director

c: Mark Mitchell, Genesis Project
File: HSI Site No. 10864