



STRUCTURES

February 25, 2010

Mr. Kevin Kimball
KVA, Inc.
Building II
9430 Research Blvd., Ste. 350
Austin, Texas 78720

RE: Echelon Building I – Preliminary Structural Evaluation

Dear Mr. Kimball:

At your request on February 23rd I visited the above-mentioned site to observe and to provide an initial structural assessment of the damaged structure. The structure was recently struck by a single engine airplane that resulted in a substantial fire leaving the structural integrity of the building in question. This letter serves as a cursory assessment of the structure based on a limited observation. A more detailed report will follow as new information is realized and as the structure becomes more accessible.

The following serves to describe my understanding of the events as it relates to the building impact based on my personal observation and conversations with your office:

The structure was impacted at the second level floor line immediately adjacent to the frontage road of Hwy. 183. The photo below shows the floor girder bent laterally crushing the bar joists that bear onto the girder. (Fig.1)

The aircraft never completely entered the structure but was stopped immediately upon impact before it fell onto the exterior grade below. The ensuing fire which was confined primarily to the second floor is what appears to have created the most structural damage.

Although substantial and irreparable damage was observed in steel floor joists that support the third level where the fire was at its highest intensity, the superstructure, by in large appears to be in good working condition. It is the opinion of this office that measures be taken to restore the integrity of the damaged areas to their original integrity while reviewing the structural frame in its entirety in order to verify that the structural integrity is truly intact.

1018 W. 11TH STREET
S U I T E 1 0 0
A U S T I N , T E X A S 7 8 7 0 3
T E L : 5 1 2 - 4 9 9 - 0 9 1 9
F A X : 5 1 2 - 3 2 0 - 8 5 2 1

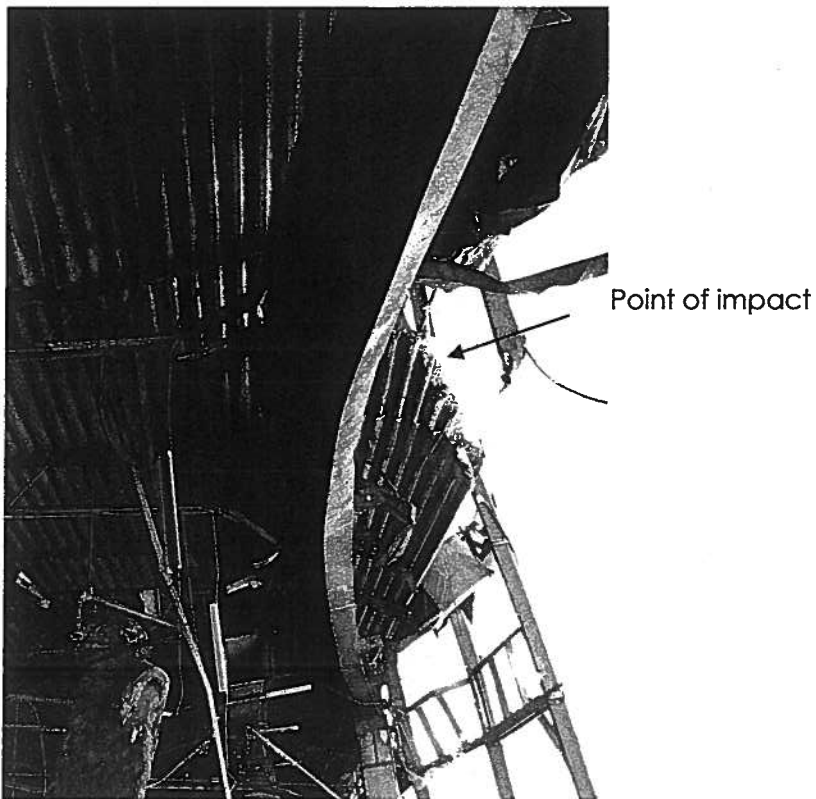


Fig.1

I understand that sensitive and confidential items and equipment remain in the structure and that measures must be soon taken in order to safely remove them from the building. This aspect of accessing the structure will be addressed first. Upon safe removal of these documents and equipment this office will prepare recommendations for structural repair with the assistance of the contractor of record.

Based on my limited observation of the structural frame, it appears that the first and fourth floors are safely accessible for removal of existing furnishings and equipment. The second floor generally appears to be safe for limited access while third level remains in question based on their exposure to fire.

✓ In areas of the third floor where the floor joists are greatly compromised, I would suggest that in the event that this area requires immediate access for removal of materials, the access is limited to a maximum of three personnel at a time working independently in different areas. Removal of the lightest materials and equipment should be removed first; heavier equipment should be removed last and in the smallest components possible (i.e. filing cabinets should be removed a drawer at a time rather than as a complete unit).

I would propose that the structure is approached in two phases:

Phase 1

Once the most sensitive materials are removed and the remainder of the demolition is to proceed, with the contractor's assistance we will provide recommendations for temporary shoring beneath the damaged third level areas to allow for safe yet limited access to compromised floor areas in order to safely remove the remaining contents of the structure. Temporary shoring will be required to extend to the foundation in the event that the second level joists are found to be compromised as well. The contractor of record will be required to secure the structure from flying or falling debris from the structure during the entire process.

Phase 2

Upon removal of all furnishings, equipment and finish materials, this office will provide a more detailed observation of the affected structural components for the second and third floor framing in order to provide recommendations for replacement/repair. An analysis of the entire frame will be provided to determine the effects that the impact may have inflicted on the superstructure. Recommendations will be provided based on satisfying structural code requirements as well as construction considerations.

This observation is not a full code or compliance inspection. This office has performed a visual, practical and non-destructive observation of the properties present condition and provides in this report a list of observed items. Any area that was not readily accessible or visible is not included in this report.

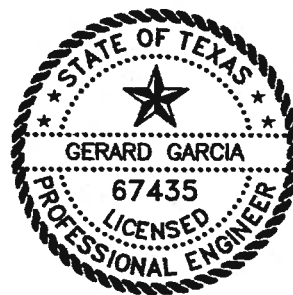
NOTE: THIS OBSERVATION DOES NOT COVER ITEMS OR CONDITIONS THAT MAY BE DISCOVERED ONLY BY INVASIVE METHODS. IT IS NOT INTENDED TO BE TECHNICALLY EXHAUSTIVE, NOR IS IT INTENDED TO REVEAL ALL EXISTING OR POTENTIAL DEFECTS. NO REMOVAL OF MATERIALS OR DISMANTLING OF SYSTEMS WAS PERFORMED UNDER THIS OBSERVATION.

Please call if you have any questions.

Sincerely,


Jerry Garcia, P.E.

License #67435



Mr. Glenn Jackson
February 23, 2010
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Preliminary Recommendations

Full recommendations will be forthcoming; however, preliminary recommendations are to utilize shotcrete or gunite as needed to stabilize the existing soils, backfill the eroded soil area with a cement stabilized sand or controlled low strength material, and re-construct the dry stacked rock wall.

We anticipate the need to maintain at least one lane closure of the U.S. Highway 183 access road for construction access to the side of the building. Some limited grading of the area between the U.S. Highway 183 access road and the damaged wall will be required in order to provide the contractor with a working area. The work area will be needed to repair the soil erosion and rock wall, as well as for repair work required on the damaged portions of the building.

I hope this preliminary letter report clearly provides to you my professional opinion on the condition of the soil and rock wall adjacent to Echelon Building One. Should you have any questions about this information, please feel free to contact me.

Sincerely,



Michael A. Rivera, P.E.
President
Rivera Engineering
TX PE Firm Registration No. 11492



RIVERA ENGINEERING TX PE FIRM REGISTRATION NO. 11492

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February 23, 2010

Mr. Glenn Jackson
183 Echelon, L.P.
P. O. 201687
Austin, Texas 78720-1687

**Re: Echelon Building No. 1 - 9430 Research Boulevard
Preliminary Engineer's Report Regarding the Physical Condition of the
Soil and Rock Wall Adjacent to the Northeast Side of the Building and
Potential Impact on the Building Foundation**

Dear Mr. Jackson:

Please accept this letter as my preliminary engineering report to you on the physical condition of the soil and rock wall adjacent to the northeast side of the Echelon Building One, and the potential impact on the building foundation. As you are aware, the building located at 9430 Research Boulevard was recently damaged. After reviewing the available information on the site, and conducting a site visit, I have arrived at the following professional opinion on the condition of the soil and rock wall and their potential impact on the building foundation:

Preliminary Findings

The soil has been eroded and the rock wall has been damaged by the recent fire and associated events. The soil erosion and rock wall damage is limited to a section of the property immediately adjacent to the exterior side of the northeast perimeter of Building One. The damage to the rock wall and the soil erosion is generally limited to the central portion of the northeast side of the building.

Although damage to the exterior rock wall has occurred, there is no damage evident to the building concrete foundation. The grade beam and portion of the slab have been exposed; however, there are no signs of cracking and no signs of eminent failure of the concrete slab. In addition, it is my understanding that the building foundation was constructed with concrete piers, which provide the support for the building structure. The damaged rock wall is a non-structural wall that is a slope stabilization feature.