

# **Exhibit 9**

## New Life Evangelistic Center, Inc.

1411 Locust Street  
St. Louis, MO 63103  
(314) 421-3020

January 28, 2004

Ms. Eula M. Samuel  
Team Leader, Real Property Branch  
Administrative Operations Service  
Division of Property Management  
5600 Fishers Lane  
Room 5B-41  
Rockville, Maryland 20857

Re: L. Douglas Abrams Federal Building  
1520 Market Street, St. Louis, MO  
GSA No: 7-G-MO-60636  
HUD No: 5420030012

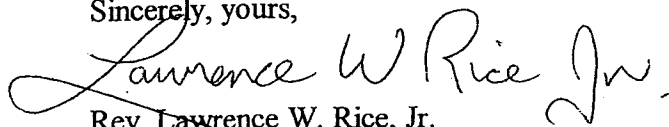
Dear Eula Samuel:

In follow-up of your letter of January 16, 2004 and my response of January 19, 2004, we hereby submit, based on your request to provide source documentation to support each response in the Questionnaire, the Additional Documentation for Environmental Questionnaire for Attachment C and documentation, prepared by Shannon & Wilson, Inc.: Geotechnical and Environmental Consultants.

I also want to change the language of the fourth paragraph of my letter of January 19<sup>th</sup>, 2004 which refers to "acquiring the property by Deed," to read "NLEC wishes to Lease the facility at 1520 Market Street, St. Louis, MO. ( See Articles of Amendment for a Non Profit Corporation, Article Ten in Attachment F of our Application. A copy of this Amendment Ten is enclosed with this letter).

Enclosed are the original Shannon & Wilson Additional Documentation for Attachment C of the Environmental Questionnaire and two copies. If you have any questions please contact Jim Barnes at (314) 614-2105.

Sincerely, yours,



Rev. Lawrence W. Rice, Jr.  
President

Enclosures: Original and 2 copies of Additional Documentation for Attachment C of the Environmental Questionnaire, prepared by Shannon & Wilson, Inc.  
--Copy of Articles of Amendment, Article Ten



January 27, 2004

Mr. Jim Barnes  
The New Life Evangelistic Center  
1411 Locust  
St. Louis, MO 63103

**Subject: Additional Documentation for Attachment C  
Department of Health & Human Services  
Environmental Questionnaire and Documentation**

Dear Mr. Barnes:

Following is an item-by-item listing of the basis for determination and documentation for the above referenced questionnaire dated December 19, 2004. The information and professional opinions included in Attachment C were current and valid as of December 19, 2003, except for the updates noted in Items 4, 11, and 15.

**Part I**

**Item #1:** Source provided in original submittal. Date accessed: December 16, 2003.

**Item #2:** Professional opinion based on description of proposed use of building, as detailed in New Life Evangelistic Center application, Items 4(A) and 4(B). Source for information about medical waste was provided in original submittal. (Personal communication with Ms. Martin on December 17, 2003 (314-436-2424)).

**Item #3:** Sources provided in original submittal: Mr. Rich Robinson, personal communication December 17, 2003 (314-612-5315). Karen (no last name given), Building Inspection Department, interviewed in person at St. Louis City Hall on December 17, 2003.

**Item #4:** Source for information on current status of property as "excess or surplus" (GSA Inventory Control Number: 4707-00111) obtained from US Dept. of Health & Human Services (HHS) Title V Property Survey-Federal Property Information Checklist, Section 6. A notice issued by the Department of Housing and Urban Development (HUD) dated September 17, 2003, indicated that the property has been determined suitable for homeless use (HUD-Assigned Property Number 54200330012). Source for information on Zoning District provided in original submittal: Ms. Magda Vargo, Lead Zoning Specialist with City Zoning Department interviewed in person on December 17, 2003.

Patrick O. Boyle, Attorney at Law with the Boyle Law Firm, LLC. reviewed the City of St. Louis Zoning Code for the "T" Central Business District and rendered the following legal opinion: "Uses permitted in the Central Business District are set forth under Chapter 26 at 26.52.020. This section lists uses which are not permitted. Homeless Shelters are treated as a

2043 WESTPORT CENTER DRIVE  
SAINT LOUIS, MISSOURI 63146-3564  
314-392-0050 FAX 314-392-0051

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residential use, and there is no exclusion of residential use listed in Section 26.52.020. New Life Evangelistic Center presently operates a homeless shelter within the Central Business District at 1411 Locust Street. In my opinion, homeless shelters are a permitted use within the Central Business District." (Patrick O. Boyle, Attorney at Law, written communication dated January 27, 2004, (314) 838-4500).

**Item #5:** Source provided in original submittal. Personal communication with Mr. Rae on December 16, 2003. Proposed use and anticipated modifications detailed in Item 4 (B) of the New Life Evangelistic application.

**Item #6:** Shannon & Wilson personal observation (December 17, 2003) and professional opinion.

**Item #7:** Source provided in original submittal. Email communication with Post Dispatch reporter Marianne Riley, December 18, 2003. Local developers may be competing for the property, but no controversy with respect to environmental effects of the proposed use of the property are known (Shannon & Wilson professional opinion).

## Part II

**Item #8:** Item 4 (B) of the New Life Evangelistic application describes the proposed use of the building. Proposed facility conversion will not require sedimentation or erosion controls. (Shannon & Wilson, Inc. professional opinion.)

**Item #9:** Shannon & Wilson's professional opinion is that community noise levels will not significantly increase or decrease, due to the fact that all shelter activities will take place inside the building. This opinion is based on the description of planned activities and services that is detailed in Items 4(A) and 4(B) of the New Life Evangelistic application. Planned activities are not expected to exceed decibel levels of traffic on surrounding streets or those of a noisy restaurant (85 decibels for both). Source: Noise Center Webpage of the League for the Hard of Hearing. <http://www.lhh.org/noise/decibel.htm>.

**Item #10:** Source: Shannon & Wilson professional opinion. This opinion is based on the description of planned activities and services that is detailed in Item 4 (B) of the New Life Evangelistic application. Also, refer to Item #13: AmerenUE anticipates no need for additional energy supply or generation when the property is converted to use as a homeless shelter (Source: personal communication with Ms. Aubrey Picard, Customer Representative, AmerenUE, on December 17, 2003, 314-621-3222). The proposed facility conversion will have no adverse impacts on community air pollution levels.

**Item #11:** Ms. Doris Magwood, Homeless Coordinator for the St. Louis Public School District (314-345-4559) was interviewed by telephone on January 26, 2003. She stated that there will be no significant effects on the school district unless the number of children transferring to the local school is very large, for instance in the neighborhood of 100 children or more. Even in that case, it is unlikely that additional teaching staff would be required. Rather, the effect would be to increase class sizes in existing classrooms. However, an additional social worker or counselor

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may be required to provide social services to the students. Ms. Magwood explained that homeless children generally match the general student population in terms of academic proficiency, and usually enter the classroom on a par with their classmates. She said that if a significant number of students from one address enters the school system (as in the case of a shelter), it may be necessary to divide the entering students between two local schools. She indicated that this has been satisfactorily accomplished in other areas of the district. Also, if a significant number of transferring students require intense special education requirements, then they would be referred to schools where those particular special education resources are already available.

**Item #12:** Source: Barbara Martin, Volunteer Nurse Practitioner with New Life Evangelistic Center shelters for the past 17 years. Personal communication on December 17, 2003 (314-436-2424).

**Item #13:** Sources provided in original submittal. Personal communication with Ms Picard on December 17, 2003 (314-621-3222); personal communication with Mr. Rae, Maintenance Foreman at Douglas Abrams Federal Building for 20 years, on December 16, 2003 (314-539-6953). The good condition of current utilities in the facility are detailed in HUD Title V Property Survey Checklist, Section 8.

**Item #14:** Source for information on current use of property: Mr. Charlie Rae, Maintenance Foreman at Douglas Abrams Federal Building for 20 years, on December 16, 2003. Also, Shannon & Wilson professional opinion based on New Life Evangelistic Center's commitment to renewable energy and waste recycling as detailed in Item 4(B) of the New Life Evangelistic Center application. Cafeteria-related waste may increase while paper waste will decrease significantly with conversion of the building from offices to a shelter.

**Item #15:** Current occupancy of building provided by Mr. Charlie Rae, GSA Maintenance Foreman at Douglas Abrams Building. Wastewater volume will increase due to the addition of shower facilities in the building, but the increase will not create a need for additional capacity at wastewater treatment facilities. According to Mr. John Lodderhose (personal communication, January 26, 2004, (314-436-8714)), a representative of St. Louis Metropolitan Sewer District (MSD) at the Bissell Point Wastewater Treatment Plant, wastewater from the site would flow to the Bissell Point Plant. Mr. Lodderhose stated that the proposed facility use would have "absolutely no impact on the MSD system in general, and the Bissell Point WWTP in particular." Furthermore, he said The Bissell Point WWTP is still less than 90% of its rated hydraulic capacity.

**Item #16:** Shannon & Wilson professional opinion based on Part 4(B) of the New Life Evangelistic application which details the proposed use of the building. No changes in storm-water control will be necessary.

**Item #17:** Source provided in original submittal. Personal communication with Mr. Don Rea on December 18, 2003 (314-868-5640).

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**Item #18:** Sources: Mr. Charlie Rae, Maintenance Foreman at Douglas Abrams Federal Building for past 20 years (personal communication December 16, 2003 (314-539-6953)); Metro Bus Schedules and Maps; Metrolink maps. <http://www.metrostlouis.org> (accessed December 16, 2003).

**Item #19:** Sources provided in original submittal. Personal communication with Lt. John Saylor on December 18, 2003 (314-444-2500); personal communication with Mr. Jim Barnes on December 18, 2003 (314-436-2424). Description of planned activities obtained from Items 4(A) and 4(B) of New Life Evangelistic Center, Inc. application.

### Part III

**Item #20:** Source provided in original submittal. Personal Communication with Mr. Kifer on June 17, 2003 (573-368-2170).

**Item #21:** Source provided in original submittal.

**Item #22:** Source: National Wetlands Inventory Map for St. Louis, Missouri.  
[https://mapper.tat.fws.gov/mapper/ims?ServiceName=nwi\\_ov&ClientVersion=4.0&Form...](https://mapper.tat.fws.gov/mapper/ims?ServiceName=nwi_ov&ClientVersion=4.0&Form...)

**Item #23:** Source: Coastal Zone Management Map.  
<http://coastalmanagement.noaa.gov/czm/national.html>

**Item #24:** Source: Designated Wild and Scenic Rivers Inventory. The nearest designated Wild and Scenic River is the Eleven Point River located in southern Missouri.  
<http://www.nps.gov/rivers/wsr-eleven-point.html>

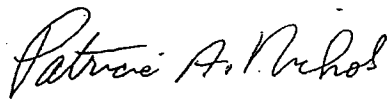
**Item #25:** Personal observation and Prime Farmland maps.  
<http://ims.missouri.edu/moims/step3.Verify/makemap.asp?STATUS=new>

**Item #26:** Source: Wilderness.Net Webpage  
<http://www.wilderness.net/index.cfm?fuse=NWPS&sec=stateView&state=mo>

**Item #27:** Source provided in original submittal.

Please contact us if you have questions regarding these issues or require additional information.

Sincerely,  
SHANNON & WILSON, INC.



for Murray Meierhoff, CHMM  
Senior Associate

MLM:PAN/tab

41-1-35906-002



Corporations Division
P.O. Box 778 / 600 W. Main Street, Rm 322
Jefferson City, MO 65102

Articles of Amendment
for a Nonprofit Corporation
(Submit in duplicate with filing fee of \$10.00)

The undersigned corporation, for the purpose of amending its articles of incorporation, hereby executes the following articles of amendment:

(1) The name of corporation is: New Life Evangelistic Center, Inc.

(2) The amendment was adopted on month/day/year and changed article(s) ten to state as follows:

Article 10 is added to the Articles and states: The corporation shall have all powers permitted a Nonprofit Corporation including but not limited to the lease of government property-determined suitable by HUD and made available by GSA for homeless use under Title V of the Stewart B. McKinney Homeless Assistance Act (McKinney Act) as amended and any other similar program for the homeless

(3) If approval of members was not required, and the amendment(s) was approved by a sufficient vote of the board of directors or incorporators, check here and skip to number (5): X

(4) If approval by members was required, check here and provide the following information:

- A. Number of memberships outstanding:
B. Complete either i or ii:

i. Number of votes for and against the amendments(s) by class was:

Table with 4 columns: Class, Number entitled to vote, Number voting for, Number voting against. Includes three rows of blank lines for data entry.

ii. Number of undisputed votes cast for the amendment(s) was sufficient for approval, and was:

Table with 2 columns: Class, Number Voting undisputed. Includes three rows of blank lines for data entry.

The number of votes cast in favor of the amendment(s) by each class was sufficient for approval by that class.

(5) If approval of the amendment(s) by some person(s) other than the members, the board or the incorporators was required pursuant to section 355.606, check here to indicate that approval was obtained: Not required

In affirmation of the facts stated above,

Signature: Lawrence W Rice Jr., Lawrence W Rice Jr., President
(Authorized signature of officer or chairman of the board) (Printed Name) (Title) (Date)

# State of Missouri



Matt Blunt  
Secretary of State

CERTIFICATE OF AMENDMENT  
OF A  
MISSOURI NONPROFIT CORPORATION

WHEREAS,

*NEW LIFE EVANGELISTIC CENTER, INC.*  
*N00012157*

a corporation organized under The Missouri Nonprofit Corporation Law has delivered to me duplicate originals of Articles of Amendment of its Articles of Incorporation and has in all respects complied with the requirements of law governing the Amendment of Articles of Incorporation under The Missouri Nonprofit Corporation Law, and that the Articles of Incorporation of said corporation are amended in accordance therewith.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 19th day of December, 2003.

*Matt Blunt*

Secretary of State

