

2018 OCT -9 AM 10:17

*Ruth A. Wilson*  
CLERK



Doc ID: 011250830009 Type: COVE  
Recorded: 10/09/2018 at 11:36:25 AM  
Fee Amt: \$28.00 Page 1 of 9  
Rockdale County Superior Court  
Ruth A. Wilson Clerk of Superior Ct  
BK **6355** PG **193-201**

After Recording Return to:

CROSS-REFERENCE: Deed Book: 5622

Page: 1

Arnall Golden Gregory LLP  
171 17<sup>th</sup> Street NW, Suite 2100  
Atlanta, GA 30363  
Attn: John C. Spinrad

### Environmental Covenant

This instrument is an Environmental Covenant executed for the property identified below (hereinafter "the Property") as part of an environmental response project to address regulated substances released into the environment that have migrated onto the Property in the groundwater. This Environmental Covenant restricts the use of groundwater on the Property to prevent humans from coming into contact with regulated substances.

**Fee Owner of Property/Grantor:**

Rexmet Corporation (hereinafter "Grantor")  
951 W. 8th Street  
Lansdale, PA 19446

**Grantee/Holder:**

Rexmet Corporation (hereinafter "Grantee/Holder")  
951 W. 8th Street  
Lansdale, PA 19446

**Grantee/Entity with  
express power to enforce:**

State of Georgia  
Department of Natural Resources  
Environmental Protection Division (hereinafter "EPD")  
2 Martin Luther King Jr. Drive, SE  
Suite 1456 East Tower  
Atlanta, GA 30334

**Parties with interest  
in the Property:**

Georgia Department of Transportation  
One Georgia Center  
600 W. Peachtree Street NW  
Atlanta, GA 30308  
Attn: Legal Department

Georgia Power Company  
241 Ralph McGill Blvd.  
BIN 10151  
Atlanta, GA 30308  
Attn: Legal Department

American Telephone and Telegraph (AT&T)  
1025 Lenox Park Blvd.,  
Atlanta, GA 30319  
Attention: General Counsel

Snapping Shoals Electric Membership Corporation  
P.O. Box 509  
Covington, GA 30015  
Attention: Legal Department

**Property Information:**

The property subject to this Environmental Covenant is located on GA Highway 138 in Conyers, Rockdale County, Georgia (hereinafter "Property"). This tract of land was conveyed on November 21, 2014 from Stone Mountain Industrial Park, Inc. to Rexmet Corporation recorded in Deed Book 5622, Page 1, Rockdale County Records. The Property is located in Land Lots 320 and 325 of the 16th District of Rockdale County, Georgia. A complete legal description of the Property is attached as Exhibit A.

Tax Parcel Number(s): 0700010008 of Rockdale County, Georgia

**Name and Location of Administrative Record:**

The administrative record for the environmental response project is identified as file Carolina Commercial Heat Treating Facility, HSI Site 10341, VRP Site VRP1120248590. This record is available for review at the following location:

Georgia Environmental Protection Division  
Response and Remediation Program  
2 MLK Jr. Drive, SE, Suite 1054 East Tower  
Atlanta, GA 30334  
M-F 8:00 AM to 4:30 PM excluding state holidays

**Declaration of Covenant:**

This Declaration of Covenant is made pursuant to the Georgia Uniform Environmental Covenants Act, O.C.G.A. § 44-16-1 et seq. by Grantor, Grantee/Holder, EPD, and their respective successors and assigns.

Grantor makes the following declaration as to restrictions to which the Property may be put and specifies that such declarations shall constitute covenants to run with the land, pursuant to O.C.G.A. § 44-16-5(a); is perpetual, unless modified or terminated pursuant to the terms of this Covenant pursuant to O.C.G.A. § 44-16-9; and shall be binding on all parties and all persons

claiming under them, including all current and future owners of any portion of or interest in the Property. Should a transfer or sale of the Property occur before such time as this Environmental Covenant has been amended or revoked then said Environmental Covenant shall be binding on the transferee(s) or purchaser(s).

Grantor hereby binds Grantor, its successors and assigns to the following activity and use limitation for the Property identified herein and grants such other rights under this Environmental Covenant in favor of the Grantee/Holder and EPD.

### **Activity and/or Use Limitation**

Groundwater Use Limitation. The use or extraction of groundwater beneath the Property for drinking water or other potable uses shall be prohibited. The use or extraction of groundwater for any other purpose besides site characterization is prohibited unless conducted under a plan approved in writing by EPD.

### **General Provisions**

Notice of Limitation in Future Conveyances. Each instrument hereafter conveying an interest in the Property subject to this Environmental Covenant shall contain a notice of the activity and use limitation set forth in this Environmental Covenant and shall provide the recorded location of the Environmental Covenant.

Access. Grantor shall provide reasonable access to Grantee/Holder or its assigns to verify compliance for annual reporting to EPD.

Effective Date. The effective date of this Environmental Covenant shall be the date upon which the fully executed Environmental Covenant has been recorded in accordance with OCGA § 44-16-8(a).

Benefit. This Environmental Covenant shall inure to the benefit of Grantee/Holder, EPD, and their respective successors and assigns and shall be enforceable by the Director or his agents or assigns, Grantee/Holder or its successors and assigns, and other party(ies) as provided for in O.C.G.A. § 44-16-11 in a court of competent jurisdiction.

Termination or Modification. This Environmental Covenant shall remain in full force and effect in accordance with O.C.G.A. § 44-16-5, unless and until the Director determines that the Property is in compliance with the Type 1 or 2 Risk Reduction Standards, as defined in Section 391-3-19-.07 of the Georgia Rules of Hazardous Site Response, whereupon the Environmental Covenant may be amended or terminated, as appropriate, in accordance with O.C.G.A. § 44-16-1 et seq.

Severability. If any provision of this Environmental Covenant is found to be unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired.

Warranty. Grantor hereby represents and warrants to the other signatories hereto that the Grantor has the power and authority to enter into this Environmental Covenant, to grant the rights and interests herein provided, and to carry out all obligations hereunder and in accordance with O.C.G.A. § 44-16-1 et seq.

Grantor has caused this Environmental Covenant to be executed pursuant to The Georgia Uniform Environmental Covenants Act, on the 6 day of February, 2017.

Signed, sealed and delivered in the presence of: **For Grantor:**

Antonia Rex  
Unofficial Witness (Signature)

ANTONIA REX  
Unofficial Witness Name (Print)

\_\_\_\_\_  
Unofficial Witness Address (Print)

[Signature]  
Notary Public (Signature)

My Commission Expires: 12/01/2019

**REXMET CORPORATION**

John W. Rex (SEAL)  
Authorized Representative (Signature)

John W. Rex  
Authorized Representative Name (Print)

President  
Title of Authorized Representative (Print)

Dated: 2/6/17  
(NOTARY SEAL)



[SIGNATURES CONTINUE ON NEXT PAGE]

[SIGNATURES CONTINUED FROM PREVIOUS PAGE]

Signed, sealed and delivered in the presence of: **For Grantee/Holder:**

Antonio Rey  
Unofficial Witness (Signature)

ANTONIA REX  
Unofficial Witness Name (Print)

\_\_\_\_\_  
\_\_\_\_\_  
Unofficial Witness Address (Print)

Kevin Farrell  
Notary Public (Signature)

My Commission Expires: 12/01/2019

**REXMET CORPORATION**

John W. Rex (SEAL)  
Authorized Representative (Signature)

John W. Rex  
Authorized Representative Name (Print)

President  
Title of Authorized Representative (Print)

Dated: 2/6/17  
(NOTARY SEAL)



[SIGNATURES CONTINUE ON NEXT PAGE]

[SIGNATURES CONTINUED FROM PREVIOUS PAGE]

Signed, sealed and delivered in the presence of:

**For the State of Georgia**

**Environmental Protection Division:**

[Signature]  
Unofficial Witness (Signature)

[Signature] (SEAL)  
(Signature)

Jason Metzger  
Unofficial Witness Name (Print)

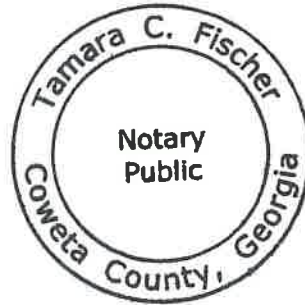
Richard Dunn  
Director

5475 Oxford Chase Way  
Atlanta GA 30338  
Unofficial Witness Address (Print)

Dated: 6-12-18  
(NOTARY SEAL)

Tamara C. Fischer  
Notary Public (Signature)

My Commission Expires: 7-27-2018



**Exhibit A**  
**Legal Description**

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 320 and 325 of the 16<sup>th</sup> District, Rockdale County, Georgia, and being known as "Tract 3B" pursuant to that certain plat entitled:

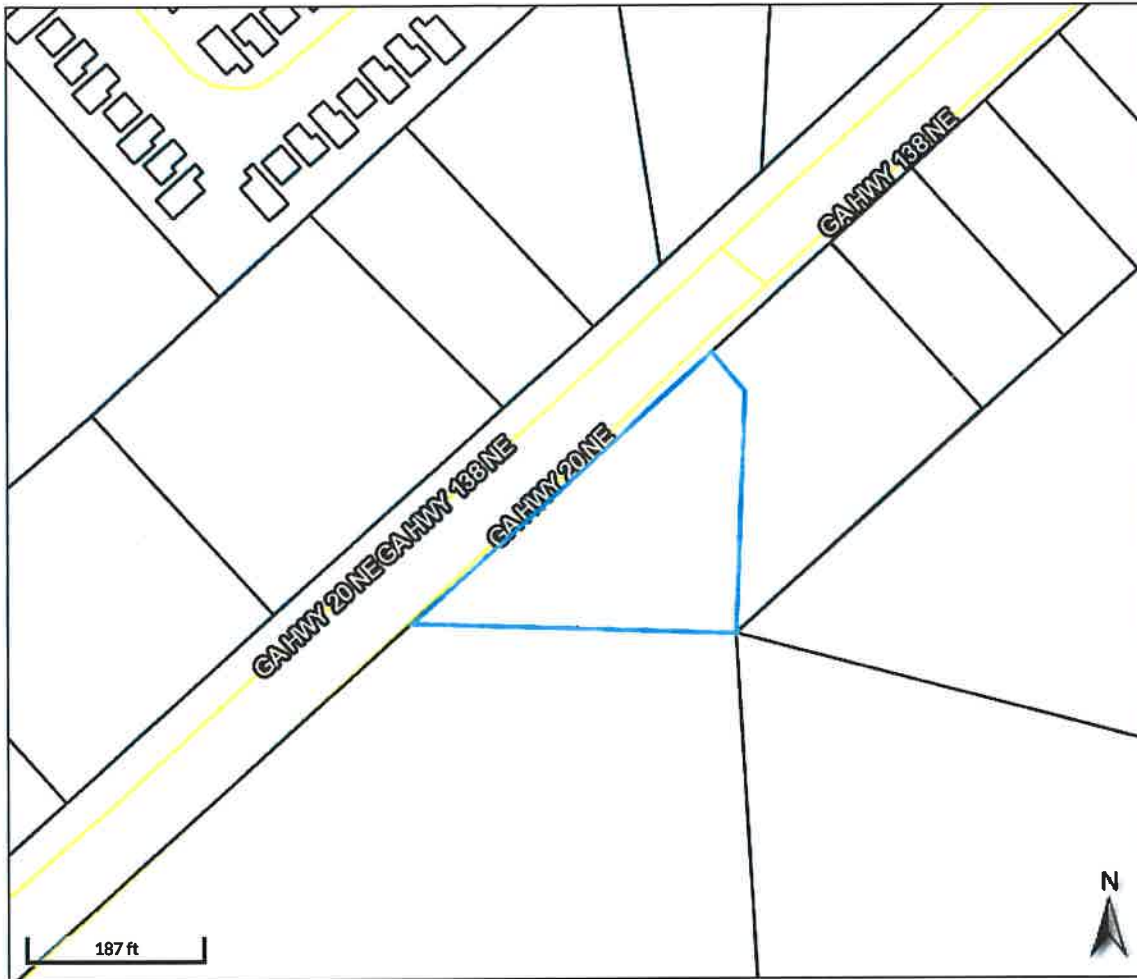
"Stone Mountain Industrial Park, Inc. for Revised Final Plat for the Resubdivision of Tract 3 Recorded in Plat Book 37, Page 51, into Tract 3A and 3B Tract 3 is Part of the Resubdivision of a 99.95 Acre Tract Recorded in Plat Book D, Page 90 Land Lots 320, 321 & 325 --- 16<sup>th</sup> District Rockdale County, Georgia"

Date of plat preparation April 28, 2014, date of field survey April 28, 2014, recorded on June 9, 2014, in Plat Book 37, Pages 102-104, in the records of the Clerk of Superior Court of Rockdale County, Georgia.

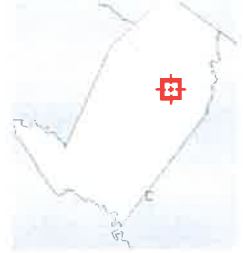


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Rockdale County, GA



Overview



Legend

- Parcels
- Roads

Parcel ID 0700010008  
Class Code Industrial  
Taxing District COUNTY  
COUNTY  
Acres 1

Owner REXMET CORPORATION  
951 W 8TH STREET  
LANSDALE PA 19446  
Physical Address HIGHWAY 138  
Assessed Value Value \$27000

Last 2 Sales			
Date	Price	Reason	Qual
11/21/2014	\$20000	01	Q
n/a	0	n/a	n/a

(Note: Not to be used on legal documents)

Date created: 6/6/2018  
Last Data Uploaded: 6/6/2018 11:30:50 AM

Developed by

