

Niki Sewell
NIKI SEWELL
CLERK OF SUPERIOR COURT
COWETA COUNTY

After Recording Return to:
Bonnell Aluminum, Inc.
Ms. Janette Courtney
P.O. Box 428
37 LaGrange St
Newnan, GA 30263

CROSS-REFERENCE:
County: _____
Deed Book: _____
Page(s): _____

Environmental Covenant

This instrument is an Environmental Covenant executed pursuant to the Georgia Uniform Environmental Covenants Act, O.C.G.A. § 44-16-1 *et seq.*, as may be amended from time to time (hereinafter "Act"). This Environmental Covenant is entered into by the entities executing this Environmental Covenant and subjects the property identified below to the activity and/or use limitations and other requirements. This Environmental Covenant further grants such other rights in favor of EPD and Bonnell Aluminum, Inc. as set forth herein.

Fee Simple Owner(s)/Grantor(s): Bonnell Aluminum, Inc.
25 Bonnell Street
P.O. Box 428
Newnan, GA 30263

Grantee/Holder with the power to enforce: Bonnell Aluminum, Inc.
25 Bonnell Street
P.O. Box 428
Newnan, GA 30263

Grantee/Entity with express power to enforce: State of Georgia
Department of Natural Resources
Environmental Protection Division
2 Martin Luther King Jr. Drive, SE
Suite 1456 East Tower
Atlanta, GA 30334

Property Subject

The properties subject to this Environmental Covenant are three tracts that total approximately 92.44 acres of real property located in Newnan, Coweta County, GA (hereinafter "Property"):

- 25 Bonnell Street, Tax Parcel ID N41 0001 001, Deed Book 2291 Page 395;
- 209 W Washington Street, Tax Parcel ID N42 0002 007, Deed Book 2291 Page 395; and
- 256 W Washington Street, Tax Parcel ID N43 016, Deed Book 1535 Page 223.

The 256 W Washington Street parcel was conveyed on June 27, 2000, to The William L Bonnell Co Inc.; such conveyance is recorded in Deed Book 1535 Page 223, of the Coweta County deed

Manufacturing Company, currently known as Bonnell Aluminum, Inc.; such conveyance is recorded in Deed Book 2291 Page 395, of the Coweta County deed records. The Property is located in Land Lot 27 of the 5th District of Coweta County, Georgia.

A legal description of the Property is attached as Exhibit A and a map of the Property is attached as Exhibit B.

Environmental Covenant Runs with the Land and is Perpetual

Pursuant to the Act, this Environmental Covenant shall run with the land and shall be perpetual unless terminated or amended pursuant to terms herein or in accordance with provisions of the Act. This Environmental Covenant shall be binding upon Bonnell Aluminum, Inc., and all successors, assigns and transferees of any interest in the Property or any portion thereof.

Administrative Records

This Environmental Covenant imposes activity and/or use limitations and other requirements on the Property that arise under corrective action performed and/or being performed at the Bonnell Aluminum, Inc. facility/site. Records pertaining to this corrective action are available at the following EPD location(s):

Georgia Environmental Protection Division
Hazardous Waste Corrective Action Program
2 MLK Jr. Drive, SE, Suite 1054 East Tower
Atlanta, GA 30334
Monday-Friday 8:00 AM to 4:30 PM, excluding state holidays.

Notice: This Property is a portion of a tract that has been listed on the State's Hazardous Site Inventory at HSI #10090 and has been designated as needing corrective action due to the presence of hazardous wastes, hazardous constituents, or hazardous substances regulated under state law. Contact the Property owner or the Georgia Environmental Protection Division for further information concerning this Property. This notice is provided in compliance with the Georgia Hazardous Site Response Act.

Activity and Use Limitations. The Property is subject to the following activity and/or use limitations:

- A. **Real Property.** The Property shall be used only as non-residential Property as defined in Rule 391-3-19-.02(2)(r) for the business purposes of the owner; provided however that the owner may, in its sole discretion, allow the use of the property for its employees recreational or charitable purposes as long as such use complies with all other restrictions in this Restrictive Covenant.
- B. **Groundwater.** The use or extraction of groundwater beneath the Property for drinking water is prohibited.
- C. **Interference with Remedy.** Activities within the Property that will interfere with the remedy, as detailed in Hazardous Waste Facility Permit HW-087(D), are

- C. **Interference with Remedy.** Activities within the Property that will interfere with the remedy, as detailed in Hazardous Waste Facility Permit HW-087(D), are prohibited, except for activities for inspection and maintenance, repair and/or replacement of required engineering controls and other proposed activities that have been approved in advance by EPD; approval of such other proposed activities must be requested from EPD in writing at least thirty (30) days prior to the start of such activity.

Other Requirements. The Property is subject to the following additional requirements.

- A. **Notice of Limitations and Requirements in Future Conveyances.** Each instrument hereafter conveying any interest in the Property or any portion thereof that may affect the activity and use limitations described herein shall include a statement that the Property is subject to this Environmental Covenant (and any amendments thereto), the location (County, Deed Book and Page) in the deed records where this Environmental Covenant (and any amendments thereto) is recorded and a copy of this Environmental Covenant (and any amendments thereto).
- B. **Notice to EPD of Future Conveyances.** Within thirty (30) days after each conveyance of a fee simple interest in the Property or any portion thereof, a notice shall be sent to EPD and Bonnell Aluminum, Inc. The notice shall include the new owner's name, address, telephone number and other pertinent contact information, the date of the conveyance and the location (County, Deed Book and Page) where the conveyance is recorded, and, if the conveyance is a portion of the Property, a survey map showing the boundaries of the real property conveyed.
- C. **Notice of Change of Use.** If such activity will materially affect any required monitoring or maintenance of any institutional or engineering controls described herein, the owner of the Property must provide to EPD thirty (30) days' advance written notice of the owner's intent to change the use of the Property, to apply for a building permit for construction at the Property, or to perform any site work.

Environmental Covenant Does Not Authorize Use Otherwise Prohibited

Pursuant to the Act, this Environmental Covenant shall not be construed to authorize a use of the Property that is otherwise prohibited by zoning, ordinance, local law or general law or by a recorded instrument that has priority over this Environmental Covenant.

Rights of Access and Enforcement

Authorized representatives of EPD and Bonnell Aluminum, Inc. shall have the right to enter the Property at reasonable times in connection with implementation, compliance, or enforcement of this Environmental Covenant, including but not limited to the right to conduct inspections, examine related records, or to take samples.

This Environmental Covenant shall be enforceable by EPD, Bonnell Aluminum, Inc., and other parties as provided in the Act. Such rights of access and enforcement herein shall not limit EPD's authority under other applicable law.

No Interest in Real Property in EPD

EPD's rights under this Environmental Covenant and the Act shall not be considered an interest in real property.

Recording of Environmental Covenant and Service on Other Persons

Within thirty (30) days after execution of this Environmental Covenant by the Director of EPD, Bonnell Aluminum, Inc. shall record the Environmental Covenant in every county in which any portion of the Property is located in accordance with the law governing the recording and priority of interests in real property. Upon recording of the Environmental Covenant, Bonnell Aluminum, Inc. shall provide in a manner deemed acceptable by EPD a copy of the executed, recorded Environmental Covenant to each of the persons or entities identified in O.C.G.A. § 44-16-7.

Representations and Warranties by Grantor(s). Bonnell Aluminum, Inc. represents and warrants that all of the following are true and correct :

- A. Bonnell Aluminum, Inc. holds fee simple title to the Property.
- B. Bonnell Aluminum, Inc. has the authority to enter into this Environmental Covenant, has the authority to grant any rights granted by it within, has the ability to carry out the obligations described within and, based upon information and belief after reasonable inquiry, does not know of any anticipated material change in the practices, ownership, or authority of Bonnell Aluminum, Inc. that will alter this representation and warranty.
- C. The execution and delivery of this Environmental Covenant and carrying out the obligations described within will not conflict with any of the provisions of the organizational documents, operating agreement of Bonnell Aluminum, Inc. nor will it violate, contravene and/or constitute a breach or default under any agreement, contract, order or instrument to which Bonnell Aluminum, Inc. is a party or by which Bonnell Aluminum, Inc. may be bound.
- D. Bonnell Aluminum, Inc. has identified all persons with existing interests other than fee simple in the Property and has determined the type and status of their interests; for those interests where the type and/or status make it necessary, the person's agreement to and signature on this Environmental Covenant or subordination of the interest has been obtained; and the aforementioned information regarding all interests other than fee simple in the Property has been provided to EPD;
- E. This Environmental Covenant does not authorize a use of the Property that is otherwise prohibited by zoning, ordinance, local law or general law or by a recorded instrument that has priority over this Environmental Covenant.
- F. At least thirty (30) days prior to presenting this Environmental Covenant to EPD for execution, Bonnell Aluminum, Inc. served a copy of the proposed final text of this Environmental Covenant on all persons or entities required to be noticed in accordance with O.C.G.A. § 44-16-7.

Submission of Required Documents and Communications

Documents and communications required by this Environmental Covenant shall be submitted to:

Georgia Environmental Protection Division
Branch Chief
Land Protection Branch
2 Martin Luther King Jr. Drive SE
Suite 1054 East Tower
Atlanta, GA 30334

With a copy to:

Bonnell Aluminum, Inc.
P.O. Box 428
Newnan, GA 30263

EPD's Environmental Covenants Registry

This Environmental Covenant and any amendment thereto or termination thereof may be included in EPD's registry for environmental covenants.

Severability

Should any provision of this Environmental Covenant be found by a court of competent jurisdiction to be invalid and/or unenforceable in any respect, the remaining provisions shall continue in full force and effect.

Effective Date

This Environmental Covenant shall be effective on the date the fully executed Environmental Covenant is recorded in accordance with O.C.G.A. § 44-16-8(a).

Grantor

Bonnell Aluminum, Inc.

Brook Hamilton
(Signature)

Brook Hamilton
President

Signed in the presence of:

Janette Courtney
Unofficial Witness (signature)

Janette Courtney
Unofficial Witness (print name)

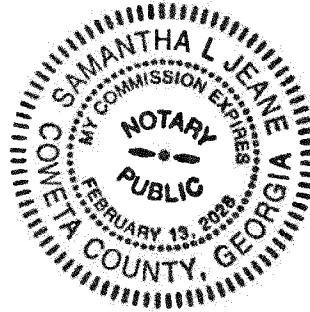
State of Georgia
County of Coweta

This instrument was signed or attested before
me this 08 day of Oct, 2021 by
[Name].

☒ Personally Known
☐ Produced Identification

Samantha L. Jeane
Notary Public (Signature)

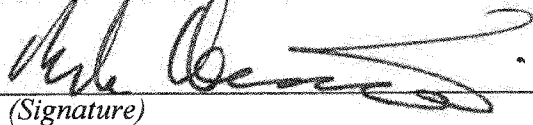
My Commission Expires: 02-13-2028



(NOTARY SEAL) _____

Grantee

Bonnell Aluminum, Inc.



(Signature)

Brook Hamilton

President

Signed in the presence of:



Unofficial Witness (signature)



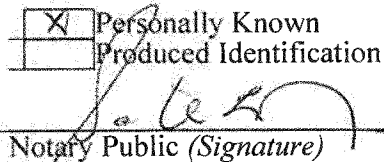
Unofficial Witness (print name)

State of [Name]

County of [Name]

This instrument was signed or attested before
me this 08 day of Oct, 2021 by
[Name].

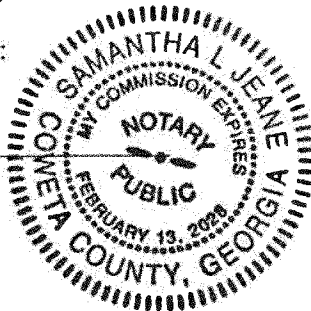
☒ Personally Known
☐ Produced Identification



Notary Public (Signature)

My Commission Expires:

(NOTARY SEAL)



For the Environmental Protection Division, Department of Natural Resources, State of Georgia,
this 19th day of February, 2025:

[Signature]
(Signature)

Jeffrey W. Cown

Director, Environmental Protection Division

Signed in the presence of:

[Signature]

Unofficial Witness (signature)

Katie R Bloomfield

Unofficial Witness (print name)

State of Georgia
County of Fulton

This instrument was signed or attested before
me this 19th day of February, 2025 by
[Name].

☐ Personally Known
☒ Produced Identification

[Signature]
Notary Public (Signature)

My Commission Expires: July 31, 2027

(NOTARY SEAL) _____

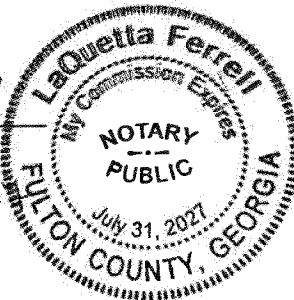


Exhibit A Legal Description of Property

Overall Property Line Description for 25 Bonnell Street (TAX ID: N41 0001 001) and 209 W Washington Street (TAX ID: N42 0002 007) All that tract or parcel of land lying and being in Land Lots 27 and 38 of the 5th District, City of Newnan, Coweta County, Georgia, and being more particularly described as follows: Beginning at a 1/2 inch rebar set at the intersection of the northerly right of way of W Washington St (50' R/W) and the westerly right of way of Henry St (30' R/W), said point being the POINT OF BEGINNING; Thence along the said right of way of Henry St North 06 degrees 13 minutes 17 seconds West 354.52 feet to a 1/2 inch rebar set; Thence North 06 degrees 57 minutes 20 seconds West 352.89 feet to a 1/2 inch rebar set; Thence North 05 degrees 14 minutes 57 seconds West 417.90 feet to a 1/2 inch rebar set at the end of right of way of Henry St; Thence South 62 degrees 55 minutes 23 seconds East 474.15 feet to a bent 1 inch open top pipe found; Thence North 47 degrees 45 minutes 37 seconds East 718.47 feet to a 1/2 inch rebar set on the southwesterly right of way of the Central of Georgia Railroad (100' R/W); Thence North 39 degrees 48 minutes 34 seconds West 1434.98 feet to a 1/2 inch rebar set; Thence South 49 degrees 56 minutes 14 seconds West 364.46 feet to a 3/4 inch open top pipe found; Thence North 40 degrees 28 minutes 06 seconds West 196.39 feet to a 2 inch open top pipe found; Thence South 37 degrees 12 minutes 54 seconds West 748.77 feet to a 2 inch open top pipe found; Thence North 63 degrees 20 minutes 11 seconds West 223.25 feet to a 1/2 inch rebar found; Thence North 64 degrees 16 minutes 17 seconds West 123.36 feet to a 1/2 inch rebar found on the easterly right of way of Belk Rd (60' R/W); Thence along said right of way of Belk Rd South 50 degrees 27 minutes 17 seconds West 93.37 feet to a point; Thence along a curve to the left an arc length of 179.93 feet, said curve having a radius of 641.17 feet, and being subtended by a chord of 179.34 feet, at South 42 degrees 24 minutes 56 seconds West to a point; Thence along a curve to the left an arc length of 235.25 feet, said curve having a radius of 507.08 feet, and being subtended by a chord of 233.15 feet, at South 21 degrees 05 minutes 06 seconds West to a point; Thence South 07 degrees 47 minutes 39 seconds West 261.42 feet to a 1/2 inch rebar set; Thence leaving said right of way of Belk Rd (60' R/W) South 00 degrees 50 minutes 39 seconds West 692.08 feet to a 1/2 inch rebar found on the northerly right of way of W Washington St (50' R/W); Thence along the said right of way of W Washington St South 61 degrees 54 minutes 40 seconds East 634.87 feet to a point; Thence along a curve to the left an arc length of 374.60 feet, said curve having a radius of 1838.61 feet, and being subtended by a chord of 373.96 feet, at South 67 degrees 44 minutes 49 seconds East to a 1/2 inch rebar found; Thence leaving said right of way of W Washington St (50' R/W) North 16 degrees 11 minutes 55 seconds East 150.00 feet to a 1/2 inch rebar set; Thence South 75 degrees 40 minutes 30 seconds East 308.07 feet to a 1/2 inch rebar set; Thence South 12 degrees 31 minutes 27 seconds West 154.13 feet to a 1/2 inch rebar set on the northerly right of way of W Washington St (50' R/W); Thence along said right of way along a curve to the left an arc length of 110.04 feet, said curve having a radius of 2274.05 feet, and being subtended by a chord of 110.03 feet, at South 77 degrees 03 minutes 02 seconds East to a point; Thence South 78 degrees 26 minutes 13 seconds East 261.36 feet to a 1/2 inch rebar set, said point being the POINT OF BEGINNING; Said tract or parcel contains 78.99 Acres (3440904 Square Feet), more or less.

Property Line Description for 256 West Washington Street (tax id: n43 016)

All that tract or parcel of land lying and being in Land Lots 27 & 28 of the 5th District, City of Newnan, Coweta County, Georgia, and being more particularly described as follows:

Beginning at the intersection of the easterly right of way of Belk Road and the Southerly right of way of West Washington Street (50' R/W);

Thence 480.95 feet in a southeasterly direction along the said right of way of West Washington Street to a 1/2 inch rebar found, said point being the POINT OF BEGINNING;

Thence leaving said right of way South 28 degrees 05 minutes 23 seconds West 289.13 feet to a 1/2 inch rebar found;

Thence North 61 degrees 52 minutes 06 seconds West 159.97 feet to a 3/4 inch pipe found;

Thence South 28 degrees 07 minutes 54 seconds West 487.78 feet to a 5/8 inch rebar found;

Thence South 59 degrees 11 minutes 02 seconds East 295.79 feet to a 5/8 inch rebar set;

Thence North 86 degrees 28 minutes 24 seconds East 817.54 feet to a 5/8 inch rebar set;

Thence North 23 degrees 14 minutes 46 seconds East 400.00 feet to a 1/2 inch rebar found on the southerly right of way of West Washington Street (50' R/W);

Thence along said right of way along a curve to the right an arc length of 367.21 feet, said curve having a radius of 1894.16 feet, and being subtended by a chord of 366.63 feet, at North 67 degrees 29 minutes 34 seconds West to a point;

Thence North 61 degrees 59 minutes 33 seconds West 432.65 feet to a 1/2 inch rebar found, said point being the POINT OF BEGINNING;

Said Tract or Parcel contains 13.45 acres (585,752 square feet), more or less and being more fully described in P.B. 71, PG. 209.

Exhibit B
Map of Property

[illegible][illegible]

1. The first part of the document is a list of names and addresses, which are arranged in a columnar fashion. The names are written in a cursive script, and the addresses are written in a more formal, printed style. The list includes names such as "John Doe", "Jane Smith", and "Robert Johnson", along with their respective addresses.

SUNSHINE RESERVES
B.A. 33 PG. 289
C.B. 30 PG. 289
D.B. 27 PG. 289
E.B. 24 PG. 289
F.B. 21 PG. 289
G.B. 18 PG. 289

COPYRIGHT NOTICE
ALL RIGHTS RESERVED
JULY 2001 PG. 289

TO: SAC, NEW YORK
FROM: SAC, ALBANY
SUBJECT: [illegible]
DATE: 08-09-77

[Handwritten signature]

[illegible]
$$\frac{d}{dt} \left(\frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$$

C. O'Brien

[illegible]

