

# GEORGIA

DEPARTMENT OF NATURAL RESOURCES

## ENVIRONMENTAL PROTECTION DIVISION

**Richard E. Dunn, Director**

**EPD Director's Office**  
2 Martin Luther King, Jr. Drive  
Suite 1456, East Tower  
Atlanta, Georgia 30334  
404-656-4713

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Martin Marietta Materials, Inc.  
c/o Ronald M. Kopplin, East Div. President  
4123 Park Lake Avenue  
Raleigh, North Carolina 27612

10/11/22

PT61 # \_\_\_\_\_ Deed Doc: EASE  
**Recorded 11/14/2022 01:39PM**

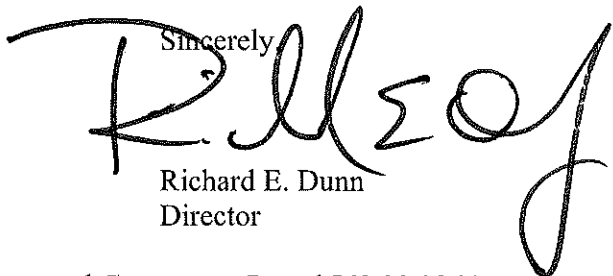
PAMELA D. DIXON  
Clerk Superior Court, JONES County, Ga.  
Bk **01136** Pg **0180-0211**

Re: Executed Uniform Environmental Covenant  
Ruby Quarry Asphalt Plant Site  
HSI Site No. 10494  
137 Pitts Chapel Road  
Macon, Jones County, Georgia  
Tax Parcel #J60 00 086A

Dear Mr. Kopplin:

The Georgia Environmental Protection Division (EPD) has approved the Uniform Environmental Covenant submitted for the above-referenced property. The fully executed original is enclosed. Within thirty (30) days of receipt, this covenant is to be filed with the clerk of the Superior Court of Jones County and recorded in the clerk's deed records pursuant to O.C.G.A. 44-16-8.

Within thirty (30) days of recording, please submit a file-stamped copy of the covenant to EPD. The submittal should include a certification that a file-stamped copy has been made available to each of the parties identified in O.C.G.A. 44-16-7. If you have any questions, please contact Ms. Antonia Beavers at (470) 251-2927.

Sincerely  
  
Richard E. Dunn  
Director

Encl: Fully executed Uniform Environmental Covenant – Parcel J60 00 086A

c: Georgia Department of Transportation, Eugene Utsalo, P.E. (w/o enclosure)

File: HSI 10494, File ID 161-0009

After Recording Return to:  
Ronald M. Kopplin, East Division President  
Martin Marietta Materials Inc.  
4123 Parklake Avenue  
Raleigh, NC 27612

CROSS-REFERENCE:  
County: Jones  
Deed Book: 00023  
Page(s): 00362

### **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 Martin Marietta Materials, Inc. as set forth herein.

**Fee Simple Owner(s)/Grantor(s):** Martin Marietta Materials, Inc.  
4123 Park Lake Avenue  
Raleigh, NC 27612  
Attn: Legal Department

**Grantee/Holder with the power to enforce:** Martin Marietta Materials, Inc.

**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 property subject to this Environmental Covenant is a tract of 13.84 acres of real property located in Macon, Jones County, Georgia, which is further identified by the tax parcel ID number provided below (hereinafter "Property"). The Property, as part of a larger tract, was conveyed on November 12, 1993, to Martin Marietta Materials, Inc.; such conveyance is recorded in Deed Book 289, Page 219, of the Jones County deed records. A copy of the 1993 Deed is included as Exhibit A. The Property was subdivided from the larger tract via A Plat of Division from Parent Tract, filed with Jones County on October 13, 2021. The Plat of Division from Parent Tract is recorded in Deed Book 00023, Page 00362.

The Property's address is 137 Pitts Chapel Rd, Macon, Georgia.

The Property is located in Land Lots 50, 55, and 56 of the 6th District of Jones County, Georgia.

The tax parcel number of the Property is J60-86A of Jones County, Georgia.

A legal description of the Property is attached as Exhibit B and maps of the Plat of Division from Parent Tract is attached as Exhibit C.

## **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 Martin Marietta Materials, 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 Ruby Quarry Asphalt Plant facility/site. Records pertaining to this corrective action are available at the following EPD location(s):

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

**Notice:** This Property has been listed on the State's Hazardous Site Inventory as HSI #10494 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 for non-residential uses, as defined in Section 391-3-19-.02 of the Rules as of the date of this Environmental Covenant. Any residential use on the Property shall be prohibited.
- B. Groundwater: The use or extraction of groundwater beneath the Property for drinking water or for any other non-remedial purposes shall be prohibited.
- C. Vapor Intrusion Exposure Pathway Evaluation and Mitigation. Vapor-forming regulated substances, including Benzene, Naphthalene, and Vinyl Chloride are present in the subsurface of the Property. Prior to any building construction, the vapor intrusion exposure pathway must be evaluated. A report of the vapor intrusion exposure pathway evaluation must be submitted to EPD for review and comment at least thirty (30) days prior to applying for a building permit. The report must be prepared by a Georgia registered professional engineer or a Georgia registered professional geologist who has experience in responsible charge of the investigation and remediation of releases of regulated substances. If warranted, a vapor intrusion mitigation system (e.g., vapor barrier, sub-slab depressurization system, etc.) will be designed and installed in the proposed building. Any EPD comments regarding the vapor intrusion exposure pathway evaluation or the design and implementation of a vapor intrusion mitigation system must be addressed to EPD's satisfaction.

**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 Martin Marietta Materials, 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 Martin Marietta Materials, 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, Martin Marietta Materials, 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, Martin Marietta Materials, 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, Martin Marietta Materials, 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).** Martin Marietta Materials, Inc. represents and warrants that all of the following are true and correct:

- A. Martin Marietta Materials, Inc. holds fee simple title to the Property.
- B. Martin Marietta Materials, 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 Martin Marietta Materials, 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 Martin Marietta Materials, Inc. nor will it violate, contravene and/or constitute a breach or default under any agreement, contract, order or instrument to which Martin Marietta Materials, Inc. is a party or by which Martin Marietta Materials, Inc. may be bound.
- D. There are no persons with existing interests other than fee simple in the Property
- 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, Martin Marietta Materials, 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:

Martin Marietta Materials, Inc.  
4123 Park Lake Avenue  
Raleigh, NC 27612  
Attn: Legal Department

**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

Grantor has caused this Environmental Covenant to be executed pursuant to the Georgia Uniform Environmental Covenant Act on the 1<sup>st</sup> day of Sept, 2022.

Martin Marietta Materials, Inc.

Ronald M. Kopplin  
(Signature)

Signed in the presence of:

Ronald M. Kopplin, East Div. President

Anna Collins  
Unofficial Witness (signature)

Anna Collins  
Unofficial Witness (print name)

State of North Carolina  
County of Wake

This instrument was signed or attested before me this 1<sup>st</sup> day of Sept, 2022 by

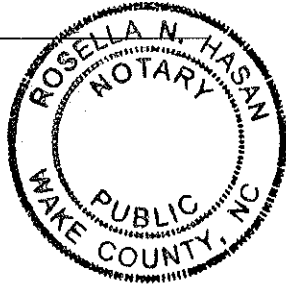
Name of Authorized Representative

- Personally Known
- Produced Identification

Rosella N. Hasan  
Notary Public (Signature)

My Commission Expires: April 6, 2023

(NOTARY SEAL)



Grantee

For the Environmental Protection Division, Department of Natural Resources, State of Georgia, this 11<sup>th</sup> day of October 2022

[Signature]  
(Signature)

Signed in the presence of:

Richard E. Dunn  
Director, Environmental Protection  
Division

[Signature]  
Unofficial Witness (signature)  
VAS/AS LAUSEN  
Unofficial Witness (print name)

State of Georgia  
County of Fulton

This instrument was signed or attested before me this 11<sup>th</sup> day of October, 2022 by Richard Dunn

Personally Known  
 Produced Identification  
[Signature]  
Notary Public (Signature)  
My Commission Expires: 6/1/2026



(NOTARY SEAL)



Exhibit A  
1993 Deed

Jones County, Georgia  
Real Estate Transfer Tax  
PAID \$ 618.80  
DATE 12-08-93  
Judy C. Ginder  
Deputy Clerk of Superior Court

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

934431  
BART W. JACKSON, CLERK  
JONES COUNTY SUPERIOR COURT  
FILED FOR RECORD 12-08 19 93  
AT 10:20 O'CLOCK A.M.  
RECORDED 12-08 19 93 IN  
Deed BOOK 289 PAGE \_\_\_\_\_  
Judy C. Ginder DEPUTY CLERK

LIMITED WARRANTY DEED

THIS INDENTURE, made this 12th day of November, 1993, between MARTIN MARIETTA TECHNOLOGIES, INC., a Maryland corporation, successor by name change to MARTIN MARIETTA CORPORATION, a Maryland corporation (hereinafter referred to as "Grantor") and MARTIN MARIETTA MATERIALS, INC., a North Carolina corporation (hereinafter referred to as "Grantee"),

WITNESSETH:

For and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration delivered to Grantor by Grantee at and before the execution, sealing and delivery hereof, the receipt and sufficiency of which are hereby acknowledged, Grantor has and hereby does grant, bargain, sell, alien, convey and confirm unto Grantee, and the heirs, legal representatives, successors, successors-in-title and assigns of Grantee, all those tracts or parcels of land lying and being in Jones County, Georgia as more particularly described on Exhibit A attached hereto and hereby made a part hereof.

To have and to hold said tracts or parcels of land, together with any and all improvements located thereon, and any and all of the rights, members and appurtenances thereof to the same being, belonging or in anywise appertaining to the only proper use, benefit and behoof of Grantee and the heirs, legal representatives, successors, successors-in-title and assigns of Grantee, forever, in fee simple.

Grantor shall warrant and forever defend the right and title to said tracts or parcels of land unto Grantee and the heirs, legal representatives, successors-in-title and assigns of Grantee, against the claims of all persons whomsoever claiming by, through or under Grantor, subject to those matters listed as permitted title exceptions as set forth on Exhibit B attached hereto and hereby made a part hereof.

11/19/93

IN WITNESS WHEREOF, Grantor has signed, sealed and delivered this deed the day and year first above written.

Signed, sealed and delivered in the presence of:

Barbara D. Peak  
Unofficial Witness

Constance S. Beagle  
Notary Public

My Commission Expires:  
8-9-97

[NOTARIAL SEAL]



After Recording Return to:  
Karen Albright  
P.O. Box 30013  
Raleigh, NC 27622

Martin Marietta Technologies, Inc., successor by name change to Martin Marietta Corporation

By: Stephen P. Zelnak  
Name: Stephen P. Zelnak, Jr.  
Title: Vice President

Attest: Karen M. Albright  
Name: Karen M. Albright  
Title: Asst. Secretary

[CORPORATE SEAL]



EXHIBIT A

Site No. 655003

All that tract or parcel of land lying and being in Burden's District, G.H. Jones County, Georgia, and lying on the southeast side of the Macon-Milledgeville paved State Highway #49, containing two (2) acres, more or less, and more particularly described as follows: Starting at a point where the land of Weston & Brooker Company and H. L. Reynolds corners on the southeast side of said highway right of way #49, and thence running in a southwesterly direction along the southeast side of said highway for a distance of Two Hundred (200) feet; thence making an angle of approximately ninety degrees and running in a southeasterly direction for a distance of four hundred and thirty-five (435) feet to a stake; thence making an angle and running in a northeasterly direction for a distance of Two hundred (200) feet and to the H. L. Reynolds property line; thence making an angle and running in a northwesterly direction for a distance of Four hundred and thirty-five (435) feet to said point of beginning.

Said land is bounded generally on the northeast by H. L. Reynolds, southeast and southwest by Weston & Brooker Company and west and northwest by State Highway #49.

Site No. 655004

All that tract or parcel of land lying and being in the Sixth Land District of Jones County, Georgia, and being the same land as set aside as a Year's Support to Mrs. Annie Martin on November 7, 1921, said proceedings being recorded in Year's Support Book A, pages 374-378, Ordinary's Office of Jones County, Georgia, except certain acreage heretofore sold off of said tract and more particularly shown and described as 117.58 acres by plat and survey of B. P. Barber and Associates, Engineers, Columbia, South Carolina, on January 21, 1963, and reference is hereto made to said plat, and said land is bounded on the northwest by James F. Beardon, Jr. and Georgia Kraft Company, on the northeast by O. C. Walker, on the southeast by State Highway No. 49 and on the southwest by a county road leading from State Highway No. 49 by the Jones County Public Works Camp to Gray, Georgia. Said 117.58 acres also includes 1.1 acres across said county road, which is bounded on the northeast by said county road, southwest by O. C. Nixon, and northwest by a barbed wire fence.

EXHIBIT A (Continued)

Site No. 655005

All that tract or parcel of land lying and being in the Sixth Land District and in Roberts and possibly some in Davidson and Burdens Militia District of Jones County, Georgia, and being a portion of what is known as the "Silas Place", containing Seven (7) acres, more or less, and more particularly described as follows: Beginning at the intersection of the Southeast edge of the Georgia Railroad right of way and the Northeast line of the right of way of a public paved county road which leads from Gray to Highway No. 49, and thence running in a Southeasterly direction along the right of way of said county road for an undetermined distance and to the property line of land now or formerly owned by Mrs. Annie Martin; thence running in a Northeasterly direction along said Martin line for an undetermined distance and to a branch which adjoins lands now or formerly owned by Interstate Land & Improvement Company; thence running in a Northwesterly direction along said branch for a distance of 715 feet, more or less, and to said Southeast edge of said Georgia Railroad right of way; thence running in a Southwesterly direction along said railroad right of way for an undetermined distance and to said point of beginning.

The above described and herein conveyed Seven (7) acres, more or less, being bounded generally and now or formerly as follows: Northwest by said Georgia Railroad right of way; Northeast by said branch with lands of Interstate adjoining same; Southeast by said Martin lands; and Southwest by said public County Road.

Site No. 655006

EXHIBIT A (Continued)

PARCEL NUMBER ONE

All that tract or parcel of land lying and being in Burdens Militia District of Jones County, Georgia, containing Thirty-five (35) acres, more or less, and bounded generally and now or formerly as follows: On the North by a branch; East by lands of Yearwood; South by Mrs. E. A. Stripling and West by the Brundage Estate. Said described parcel being the same property as that conveyed to The Weston & Brooker Company by deed from James Young dated June 15, 1956, and recorded in Deed Book "3-J" page 514, Jones County Clerk's Office.

PARCEL NUMBER TWO

All that tract or parcel of land lying and being in Burdens Militia District of Jones County, Georgia, containing Thirty (30) acres, more or less, and bounded generally as follows: On the East and Northeast by property formerly owned by Ponder F. Childs and Mike Lowe, Formerly W. E. Cheek; on the Southeast by property formerly owned by W. F. Kitchens, now Interstate Land and Improvement Company; on the Southwest by property of T. B. Peeler; and on the West and Northwest by an old fence line adjoining property of H. L. Reynolds. Said thirty acres, more or less, being all of the property lying East and Southeast of an old fence line which runs across a forty acre tract conveyed to H. L. Reynolds by W. E. Cheek, et. al.. Said described property being the same as that conveyed to the Weston & Brooker Company by deed from H. L. Reynolds dated July 12, 1956, recorded Deed Book "3-J" page 583, Jones County Clerk's Office.

EXHIBIT A (Continued)PARCEL NUMBER THREE

All that tract or parcel of land lying and being in Burdens Militia District of Jones County, Georgia, containing Twenty-eight (28) acres, more or less, known as a part of the "A. B. Stripling Home Place" and bounded generally and now or formerly as follows: Northeast by lands of A. K. Kitchens; West by lands of Mrs. L. M. Brundage; and South by lands of Ed and James Young, a branch separating said 28 acres from said Ed and James Young property. Said described property being the same as that conveyed by Mrs. Doris Young Jones, Adm. of Estate of W. B. Young, by deed dated September 4, 1956, recorded Deed Book "3-K" page 198, Jones County Clerk's Office. Said described parcel of property is conveyed subject to contract with Mrs. Doris Young Jones, et. al., dated March 26, 1957, recorded Deed Book "3-0" page 38, Jones County Clerk's Office.

PARCEL NUMBER FOUR

All that tract or parcel of land lying and being in Burdens Militia District of Jones County, Georgia, on the Southeast side of State Highway #49, containing Sixteen and One-half (16.5) acres, more or less, and bounded generally and now or formerly as follows: Northeast by property of H. L. Reynolds; East and Southeast

EXHIBIT A (Continued)

by property of T. B. Peeler; Southwest by property of Bryant; and West and Northwest by State Highway #49. The above boundaries include a parcel containing 17.5 acres, more or less, which includes One (1) acre in the shape of a square which embraces an old burial plot, reserved in deed from S. A. Bryant to The Weston & Brooker Company dated November 10, 1955, recorded Deed Book "3-J" page 280, Jones County Clerk's Office. said deed also reserves a fifteen (15) foot easement from said burial plot to said State Highway #49 with the privilege of The Weston & Brooker Company to relocate said easement from time to time.

PARCEL NUMBER FIVE

All that tract or parcel of land lying and being in Roberts Militia District of Jones County, Georgia, containing Five (5) acres, more or less, and bounded generally and now or formerly as follows: North and East by property of the A. J. Chapman Estate; South by Dry Bone Creek; and West by a public county road which leads from State Highway #49 and by the home of M. H. Chapman. Said described parcel being the same property conveyed to The Weston & Brooker Company by deeds from Milton H. Chapman, et. al., dated July 27, 1956, from Mrs. Oscar Chapman dated October 18, 1956, from Homer



EXHIBIT A (Continued)

J. Chapman dated March 18, 1957, and from John A. Chapman dated April 9, 1957, said deeds being recorded respectively in Deed Books "3-K" page 83, "3-K" page 287, "3-L" page 221 and "3-L" page 285, Jones County Clerk's Office. Said property also being the same as that shown on one certain unrecorded plat entitled "Chapman Estate" dated April 18, 1957, made by B. P. Barker & Associates, Engineers, Columbia, South Carolina, showing said property as 4.73 acres, said 5 acres parcel being conveyed subject to payment of royalty provisions as set out in deeds dated July 27, 1956, and April 9, 1957, and recorded respectively in Deed Books "3-K" page 83, and "3-L" page 285, Jones County Clerk's Office.

Site No. 655008

Burden's District, C. M. D. 359 and in Land Lots

#75 and #76 of Jones County, Georgia being a portion of the old Wiley F. Kitchens Home Place and consisting of that tract of land shown on a plat of survey entitled "Property Survey, Mrs. Bennie Davis Kitchens" made by Jack S. Bryan, Jones County Surveyor, dated April 24, 1971 and recorded in Plat Book 3, Page 54, Clerk's Office, Jones Superior Court. The property herein conveyed consists of (29.9811) acres of land.

The herein conveyed property is a portion of the property conveyed by deed dated February 21, 1951 and recorded in Deed Book "3-E", Page 259 and by deed dated March 5, 1959 and recorded in Deed Book "3-0", Page 66, both of said deeds being recorded in the Clerk's Office of Jones Superior Court.

EXHIBIT A (Continued)

Site No. 655009

all that tract or parcel of  
land lying and being in Land Lot #54 of the Sixth Land District and Burdens  
Militia District of Jones County, Georgia, on the Southeasterly  
edge of the Gray-Milledgeville paved State Highway #49 containing  
Five (5) acres, more or less, and bounded generally and now or  
formerly as follows: Northwest by above mentioned paved State  
Highway #49; Northeast by The Weston & Brooker Company; Southeast  
and Southwest by property of T. B. Peeler.

Said described parcel being the same property referred to  
as Four (4) acres, more or less, conveyed  
by deed from C. A. Bryant dated December 17, 1955, recorded Deed  
Book "3-J" page 105, Clerk's Office of the Jones County Superior  
Court.

Site No. 655010

all that tract or parcel of  
land lying and being in Land Lot 77 and possibly partially in Land Lot 76, Sixth Land  
District and C. M. D. #359 (Burden's District) of Jones County, Georgia,  
containing Forty-two and two-tenths (42.2) acres of land lying South and South-  
east of Georgia State Highway #49 (lower Macon-Milledgeville Road) and being  
more particularly described as being all of TRACT "A", containing Thirty-seven  
and two-tenths (37.2) acres of land, and all of TRACT "B", containing Five (5.0)  
acres of land according to that certain plat of survey entitled "Survey of Property-  
Floyd D. Polk and Mary Polk" by Byron L. Farmer, Georgia Registered Land  
Surveyor #1679, dated May 12, 1973, a copy of said plat being attached to this  
deed and the same is hereby made a part hereof in aid of this description.

The above described Tract "B" is subject to those reservations,  
agreements and obligations in that certain Deed from Floyd D.  
Polk and Mrs. Mary Polk to Martin Marietta Corporation dated June  
1, 1973, recorded in Deed Book 126, page 97, Jones County,  
Georgia Records, wherein Floyd D. Polk and Mrs. Mary Polk  
reserved unto themselves the privilege of living and conducting  
an automobile salvage business on that reserved 5.0 acre tract of  
land described above as Tract "B".

The above described property is a portion of a certain 60 acres,  
more or less, tract of land conveyed by a certain Warranty Deed  
from Willis E. Cheek dated September 26, 1957, recorded in Deed  
Book 3-M, page 125, Jones County, Georgia Records.

EXHIBIT A (Continued)

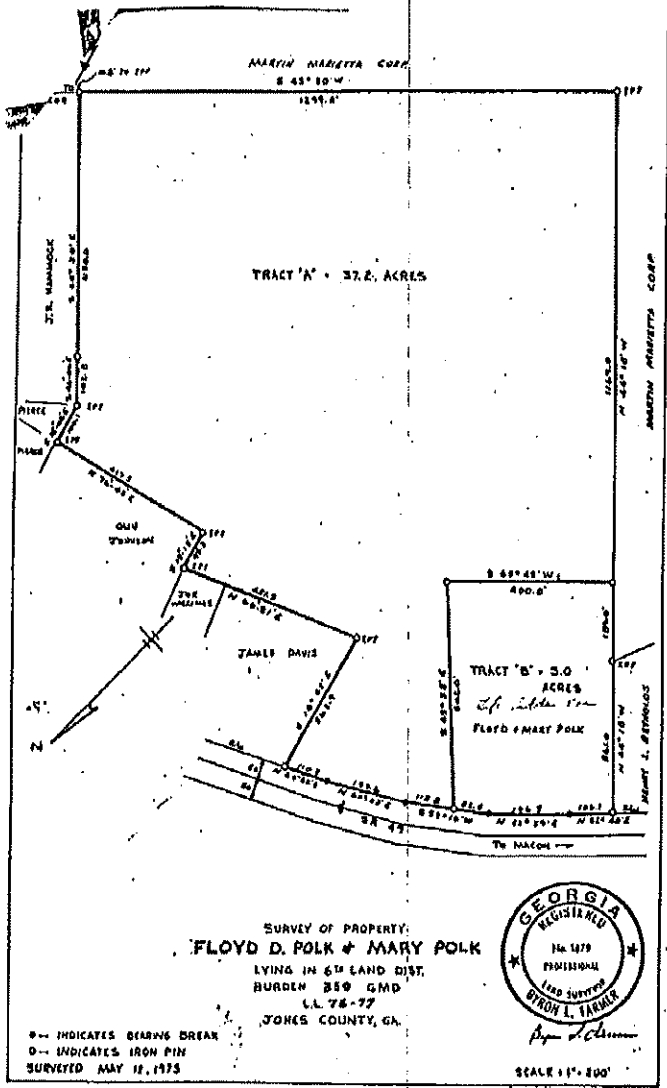


EXHIBIT A (Continued)

Site No. 652011

all that tract or parcel of  
land lying and being in Land Lots #75 and #76, Sixth Land District and G. M. D. #359,  
(Burden's) of Jones County, Georgia, containing One Hundred Ten and seven-  
tenths (110.7) acres of land and being more particularly described as being all  
of TRACT "A", containing Two and seven-tenths (2.7) acres of land, and all  
of TRACT "B", containing One Hundred and Eight (108.0) acres of land accord-  
ing to that certain plat of survey entitled "Survey of Property for MARTIN  
MARIETTA CORPORATION" by Byron L. Farmer, Georgia Registered Land  
Surveyor #1679, dated December, 1974, and which said plat is found of record  
in Plat Book 4, Page 155, Clerk's Office, Jones Superior Court. The property  
herein conveyed shall have the metes, bounds, courses and distances as are  
shown on said plat which by reference is incorporated herein and made a part  
hereof.

The herein conveyed property is a portion of certain property conveyed  
by deed dated February 21, 1951, recorded Deed Book "3-E",  
page 259, and by deed dated March 5, 1959, recorded Deed Book "3-O", page 66,  
both of said deeds being recorded in the Clerk's Office, Jones Superior Court.

The above described property is subject to reservations and  
obligations in that certain Deed from Mrs. Binnie D. Kitchens  
(same person as Mrs. Bennie Davis Kitchens and Mrs. George W.  
Kitchens) to Martin-Marietta Corporation dated February 6, 1975,  
recorded in Deed Book 138, page 134, Jones County, Georgia  
Records, wherein Grantor reserved unto herself and to her  
husband, George W. Kitchens, the privilege of living on Tract "A"  
on which the home and out-building are located and also reserved  
for access purposes to and from Tract "A" an easement over the  
present road or driveway which leads from said Tract A to Georgia  
Highway #49. Further the Grantee therein agreed to pay the ad  
valorem taxes assessed on Tract "A" during the lives of Grantor  
therein and her husband, George W. Kitchens.

EXHIBIT A (Continued)

Site No. 655012

all that tract or parcel of land lying and being in ...

Land Lot #77, Sixth Land District, G. M. D. #359 (Burden's) of Jones County, Georgia containing 2.075 acres of land and being more particularly shown and described on a plat of a survey made by Jack S. Bryan, Jones County Surveyor, dated February 5, 1975, entitled "Survey of Property for MARTIN-MARIETTA CORPORATION" which said plat is recorded in Plat Book 4, page 161, Clerk's Office, Jones Superior Court. Said property herein conveyed shall have the metes, bounds, courses and distances as shown on said plat.

The above described property is subject to use restrictions and covenants set forth in Deed from G. C. Walker to Martin-Marietta Corporation, dated February 18, 1975, recorded in Deed Book 138, page 232, Jones County, Georgia Records, wherein grantee therein covenants and agrees that the property will not be used for the quarrying of stone unless grantee therein has obtained the adjacent property of grantor therein for said purposes and further that property is purchased for use as a water reservoir. If said property is used for any other purpose than as a reservoir, then said property is restricted to a use not detrimental to the health and welfare of residents residing within 100 feet of the property lines. Further, it is covenanted that the property will not be used for maintenance of any hoof animals.

EXHIBIT A (Continued)

Site No. 655013

All that tract or parcel of land lying and being in land lots 55, 56, 75 and 76 of the Sixth Land District of Jones County, Georgia and being more particularly described as follows: That tract or parcel of land containing 219.67 acres, more or less, purchased by Tom Peeler in July, 1952, by deed recorded in Deed Book 3-F, Page 429, Clerk's Office, Jones Superior Court from Maurine W. Yearwood to which deed reference is made for a more complete description and which by reference is incorporated herein. This is the same tract or land shown on a map and plat of survey made by Joe Thomas, C. E., on December 18, 1933, which plat is recorded in Book 3-F, Page 430, said Clerk's Office; AND IN ADDITION THERETO the said tract of land herein conveyed includes an adjoining parcel of 3.5 acres of land acquired by T. B. Peeler from Georgia Kraft Company by Warranty Deed dated June 8, 1956, recorded Deed Book 3-J, Page 580, said Clerk's office; and LESS AND EXCEPTING THEREFROM a parcel of 5.3 acres of land conveyed by T. B. Peeler to Georgia Kraft Company by Warranty Deed dated June 8, 1956, recorded Deed Book 3-J, Page 578, said Clerk's Office. And, by reference herein all of the abovementioned deeds and plats are incorporated herein and made a part hereof for a more particular description of the property herein conveyed.

EXHIBIT A (Continued)Site No. 655014

ALL those two certain lots, tracts or parcels of land situate, lying and being in the Sixth (6th) Land District of Jones County, Georgia, and being portions of Land Lots Twenty-Nine (29), Fifty (50) and Fifty-Five (55); and being more particularly described as follows:

## PARCEL "A"

Beginning at a concrete right-of-way monument on the western most right-of-way line of Pitts Chappel Road (100' Right-of-way), concrete right-of-way monument being just south of and being on opposite side of Pitts Chappel Road from Martin-Marietta, Ruby Quarry main entrance. Said concrete right-of-way monument being the POINT OF REFERENCE. Thence along western most right-of-way line of Pitts Chappel Road North twenty-six degrees thirteen minutes fifty-three seconds west (N26°13'53"W), One hundred seventy-three and thirty-seven one-hundredths (173.37) feet to an iron pipe. Said iron pipe marking the POINT OF BEGINNING of Parcel "A". Thence, South forty-seven degrees two minutes forty-seven seconds west (S47°02'47"W), Six hundred eighty and twenty-three one-hundredths (880.23) feet to an iron pipe. Thence, South forty-three degrees twenty-nine minutes two seconds west, Two hundred eighteen and sixty-eight one-hundredths (218.68) feet along the chord of a curve (Radius = 1,759.74 feet) to an iron pipe.

Thence, South thirty-nine degrees fifty-five minutes eighteen seconds west (S39°55'18"W), Six hundred seventy-eight and sixty-three one-hundredths (678.63) feet to an iron pipe. Thence, South fifty degrees sixteen minutes fifty-seven seconds west (S50°16'57"W), Four hundred fifty-five and seventy-six one-hundredths (455.76) feet along the chord of a curve (Radius = 1,267.07 feet) to an iron pipe. Thence, South sixty degrees thirty-eight minutes thirty-six seconds west (S60°38'36"W), One thousand nine hundred sixty-three and sixty-two one-hundredths (1,963.62) feet to an iron pipe. Thence, South twenty-nine degrees twenty-one minutes twenty-four seconds east (S29°21'24"E), Sixty-five and no one-hundredths (65.00) feet to an iron pipe. Thence, North sixty degrees thirty-eight minutes thirty-six seconds east (N60°38'36"E), One thousand nine hundred sixty-three and sixty-two one-hundredths (1,963.62) feet to an iron pipe. Thence, North fifty degrees sixteen minutes fifty-seven seconds east (N50°16'57"E), Four hundred seventy-nine and fourteen one-hundredths (479.14) feet along the chord of a curve (Radius = 1,332.07 feet) to an iron pipe. Thence North thirty-nine degrees fifty-five minutes eighteen seconds east (N39°55'18"E), Six hundred seventy-eight and sixty-three one-hundredths (678.63) feet to an

EXHIBIT A (Continued)

iron pipe. Thence, North forty-three degrees twenty-nine minutes two seconds east (N43°29'02"E), Two hundred ten and sixty-one one-hundredths (210.61) feet along the chord of a curve (Radius = 1,604.74 feet) to an iron pipe. Thence, North forty-seven degrees two minutes forty-seven seconds east (N47°02'47"E), Six hundred sixty and seventy one-hundredths (660.70) feet to an iron pipe on the western most right-of-way line of Pitts Chappel Road. Thence, along western most right-of-way line of Pitts Chappel Road North twenty-six degrees thirteen minutes fifty-three seconds west (N26°13'53"W), Sixty-seven and eighty-seven one-hundredths (67.87) feet to an iron pipe marking the POINT OF BEGINNING. Said Parcel "A" contains Five and nine hundred sixty-five one-thousandths (5.965) acres.

PARCEL "B"

Beginning at a concrete right-of-way monument on the western most right-of-way line of Pitts Chappel Road (100' right-of-way), concrete right-of-way monument being just south of and being on opposite side of Pitts Chappel Road from Martin-Marletta, Ruby Quarry main entrance. Said concrete right-of-way monument being the POINT OF REFERENCE. Thence, along western most right-of-way line of Pitts Chappel Road North twenty-six degrees thirteen minutes fifty-three seconds west (N26°13'53"W), Thirty-two and forty-one one-hundredths (32.41) feet to the POINT OF BEGINNING of Parcel "B". Thence, South forty-seven degrees two minutes forty-seven seconds west (S47°02'47"W), Six hundred thirty-nine and sixty-seven one-hundredths (639.67) feet. Thence, South forty-three degrees twenty-nine minutes two seconds west (S43°29'02"W), Two hundred one and ninety-one one-hundredths (201.91) feet along the chord of a curve (Radius = 1,624.74 feet). Thence, South thirty-nine degrees fifty-five minutes eighteen seconds west (S39°55'18"W), Six hundred seventy-eight and sixty-three one-hundredths (678.63) feet. Thence, South fifty degrees sixteen minutes fifty-seven seconds west (S50°16'57"W), Five hundred four and thirty-two one-hundredths (504.32) feet along the chord of a curve (Radius = 1,402.07 feet). Thence, South sixty degrees thirty-eight minutes thirty-six seconds west (S60°38'36"W), Two thousand one hundred fifty-seven and ten one-hundredths (2,157.10) feet. Thence, South sixty-four degrees



**EXHIBIT A (Continued)**

four minutes fifty-one seconds west (S64°04'51"W), One hundred eighty and two one-hundredths (180.02) feet along the chord of a curve (Radius = 1,501.24 feet). Thence, South sixty-seven degrees (thirty-one minutes five seconds west (S67°31'05"W), Three hundred forty and thirty-five one-hundredths (340.35) feet to a point on the eastern most right-of-way of Georgia State Highway Number 49 (100' right-of-way). Thence along the eastern most right-of-way of Georgia State Highway Number 49, North thirty-three degrees thirty-five minutes twenty-five seconds east (N33°35'25"E), One hundred twenty-five and forty-two one-hundredths (125.42) feet along a chord of a curve (Radius = 5,877.15 feet). Thence, North sixty-seven degrees thirty-one minutes five seconds east (N67°31'05"E), Two hundred thirty-six and twenty-nine one-hundredths (236.29) feet. Thence, North sixty-four degrees four minutes fifty-one seconds east (N64°04'51"E), One hundred seventy-one and sixty-three one-hundredths (171.63) feet along the chord of a curve (Radius = 1,431.24 feet). Thence, North sixty degrees thirty-eight minutes thirty-six seconds east (N60°38'36"E), One hundred ninety-three and forty-eight one-hundredths (193.48) feet to an iron pipe. Thence, North sixty degrees thirty-eight minutes thirty-six seconds east (N60°38'36"E), One thousand nine hundred sixty-three and sixty-two one-hundredths (1,963.62) feet to an iron pipe. Thence, North fifty degrees sixteen minutes fifty-seven seconds east (N50°16'57"E), Four hundred seventy-nine and fourteen one-hundredths (479.14) feet along the chord of a curve (Radius = 1,332.07 feet) to an iron pipe. Thence, North thirty-nine degrees fifty-five minutes eighteen seconds east (N39°55'18"E), Six hundred seventy-eight and sixty-three one-hundredths (678.63) feet to an iron pipe. Thence North forty-three degrees twenty-nine minutes two seconds east (N43°29'02"E), Two hundred ten and sixty-one one-hundredths (210.61) feet along the chord of a curve (Radius = 1,694.74 feet) to an iron pipe. Thence, North forty-seven degrees two minutes forty-seven seconds east (N47°02'47"E), Six hundred sixty and seventy one-hundredths (660.70) feet to an iron pipe on the western most right-of-way of Pitts Chapel Road. Thence, along western most right-of-way of Pitts Chapel Road South twenty-six degrees thirteen minutes fifty-three seconds east (S26°13'53"E), Seventy-three and nine one-hundredths (73.09) feet to the POINT OF BEGINNING of Parcel "B". Said Parcel "B" contains Seven and four hundred seventy-five one-thousandths (7.475) acres.

Total acreage in Parcel "A" and Parcel "B" hereby conveyed is Thirteen and four hundred forty one-thousandths (13.440) acres. Reference is made to a plat of survey prepared by Tribble and Richardson, Inc., dated September 4, 1988 entitled "Survey for Martin-Marietta Aggregates", drawing number 185-80-C, a copy of which is hereto attached and made a part hereof.

EXHIBIT A (Continued)

The above described property is subject to reservations for oil, gas and mineral rights and reversion of title described in Deed from The Continental Group, Inc., to Martin Marietta Corporation dated Decemer 8, 1980, recorded in Deed Book 170, page 32-36, Jones County, Georgia Records.

Site No. 655015

All that tract or parcel of land situate, lying and being in Lots 56, 75 and 76 of the 6th District of Jones County, Georgia containing 101.8 acres, more or less, and made up of the following two adjacent tracts, to wit:

TRACT ONE: All of the tract containing 100 acres, more or less, described in deed from John R. L. Smith to Interstate Land & Improvement Company, and recorded in Book 3-F, Folio 245, Clerk's Office, Bibb Superior Court, with the exception of a tract of 3.5 acres described in deed from Georgia Kraft Company (the successor by merger of Interstate Land & Improvement Company) to Thomas B. Peeler dated June 1956 and recorded in Book 3-J, Folio 578, said Clerk's office, and more fully described as being Parcel A on the plat hereto attached. The 100 acre tract before making this deduction, was described as follows: 100 acres, more or less, of the old W. F. Kitchens home place, lying in the west corner of Lot 75 and the south corner of Lot 76, but lying in one body in said two lots and bounded on the northwest by Reynolds, on the southwest by Yerrwood, on the southeast by Interstate Land & Improvement Company and on the northeast by George Kitchens, and formerly bounded by lands of C. L. Balkcom, Alex Kitchens and Moore and other lands of the W. F. Kitchens home place (now owned by George Kitchens).

EXHIBIT A (Continued)

The tract of 3.5 acres which is deducted from said 100 acre tract is described as follows: All that tract or parcel of land containing 3.5 acres in Lots 75 and 76 of the Sixth Land District of Jones County, Georgia and more fully described as Parcel A on the plat hereto attached and therein described as follows: Commencing at a point on the southwest line of Land Lot 76 which point is 2392.9 feet southeast of the corner of Lots 54, 55, 76 and 77 and from said beginning point running north 29 degrees, 19 minutes east for a distance of 309.3 feet to an iron pin; thence south 30 degrees, 27 minutes east for a distance of 681 feet to the southeast line of Lot 76; thence continuing south 23 degrees, 29 minutes east for a distance of 389.4 feet to an iron pin on the southwest line of Land Lot 75; thence north 44 degrees, 1 minute west along the southwest lines of Lots 75 and 76 for a distance of 937.9 feet to the point of beginning.

The 100 acre tract less the 3.5 acres sold to Thomas D. Peeler leaves 96.5 acres, more or less conveyed in this Tract One.

TRACT TWO: All that tract of parcel of land containing 5.3 acres in Land Lot 56 of the Sixth District of Jones County, Georgia, more fully described as Parcel B on the attached plat as follows: Commencing at a point on the northeast line of Lot 56 in said district which point is 3480 feet southeast of the corner of Lots 54, 55, 76 and 77 in said district commencing at an iron pin at that point, and running thence south 45 degrees, 31 minutes east along the northeast line of Lot 56 for a distance of 857.5 feet to a sweet gum and old fence corner dividing the property hereby conveyed from the Old Wiley Kitchens Place, thence south 45 degrees, 44 minutes west for a distance of 256.8 feet; thence north 45 degrees, 31 minutes west for a distance of 953.9 feet; thence north 66 degrees, 7 minutes east for a distance of 276.4 feet to the point of beginning.

**EXHIBIT A**

Site Nos 655007, 655016, 655017

The property described in the following instruments together with all of the interests, rights, titles, powers, privileges, options and obligations contained in said instruments as conveyed to Grantee herein by that certain Transfer and Assignment from The Weston & Brooker Company dated September 15, 1970, recorded in Deed Book 104, page 19-21, Jones County, Georgia Records:

1. One certain Lease of Right-of-Way and Easement, and being the same instrument from Jeffreys McElrath Mfg. Company to The Weston & Brooker Company dated December 19, 1955, and recorded Deed Book "3-J" page 277, Jones County Clerk's Office.
2. One certain Right-of-Way and Easement Agreement from Annis Martin Woxon's Club to The Weston & Brooker Company dated July 26, 1956, and recorded Deed Book "3-K" page 85, Jones County Clerk's Office.
3. One certain Lease of Right-of-Way and Easement from J. G. Wells to The Weston & Brooker Company dated September 4, 1956, and recorded Deed Book "3-K" page 175, Jones County Clerk's Office.
4. One certain Right-of-Way Easement and Permit from Jones County, Georgia, to The Weston & Brooker Company dated November 16, 1956, and recorded Deed Book "3-K" page 391, Jones County Clerk's Office.

EXHIBIT A (Continued)Site No. 655018

ALL THAT certain lot, tract or parcel of land situate, lying and being all of Land Lot 57 and portions of Land Lots 49, 50 and 56, in the 304th and 369th Georgia Militia Districts, 6th Land District of Jones County, Georgia, containing three hundred ninety-two and sixty-four one-hundredths (392.64) acres, more or less, and being bounded on the north by lands of Martin Marietta Corporation, and Georgia Kraft Company, on the east by lands of Georgia Kraft Company, on the south by lands of Georgia Kraft Company and Lonnie T. Temples, and on the west by the eastern edge of the right of way of a dirt county road. For a more particular description of the tract hereby conveyed, reference is made to a plat of a survey thereof made by T. Larry Rachels, Registered Land Surveyor, Georgia, dated March 18, 1986, a copy of which is recorded in the Office of the Clerk of the Superior Court of Jones County, Georgia, in Plat Book 8, Page 294.

EXHIBIT B

1. All unpaid taxes and assessments.
2. Those matters which would be disclosed by a current accurate survey and inspection of subject property.
3. Recorded easements, restrictions, reservations, obligations, covenants and encumbrances affecting subject property.
4. Any portion of subject property lying within the right-of-way of any public road.

Exhibit B  
Legal Description of Property

All that tract or parcel of land, lying and being in the 304th G.M.D. & 359th G.M.D., Jones County, Georgia, being more fully described as follows:

Beginning at a nail set at the center line intersection of State Route 49 and Pitts Chapel Road;

Thence S 30°14'25" E a distance of 2533.94' to a 5/8" rebar set on the right-of-way of Pitts Chapel Road, said point being the True Point of Beginning; Thence N 81°42'11" E a distance of 117.92' to a 5/8" rebar set; Thence N 69°18'02" E a distance of 121.61' to a 5/8" rebar set; Thence N 61°59'55" E a distance of 199.00' to a computed point; Thence N 90°00'00" E a distance of 10.07' to a 5/8" rebar set; Thence S 90°00'00" E a distance of 669.32' to a 5/8" rebar set; Thence S 00°00'00" E a distance of 585.64' to a 5/8" rebar set; Thence S 60°22'35" W a distance of 197.56' to a 5/8" rebar set; Thence N 85°09'22" W a distance of 82.99' to a 5/8" rebar set; Thence N 54°05'25" W a distance of 50.18' to a 5/8" rebar set; Thence S 86°43'47" W a distance of 49.13' to a 5/8" rebar set; Thence S 83°12'39" W a distance of 118.56' to a 5/8" rebar set; Thence N 84°59'12" W a distance of 80.19' to a 5/8" rebar set; Thence N 71°18'46" W a distance of 99.13' to a 5/8" rebar set; Thence N 90°00'00" W a distance of 152.95' to a 5/8" rebar set; Thence N 42°43'38" W a distance of 318.35' to a 5/8" rebar set on the right-of-way of Pitts Chapel Road; Thence N 18°12'49" W a distance of 151.29' to a bent 1" pipe found on the right-of-way of Pitts Chapel Road; Thence N 19°43'30" W a distance of 99.76' to a 5/8" rebar set on the right-of-way of Pitts Chapel Road, said point being the True Point of Beginning;

Said property contains 13.84 acres more or less and is shown on Plat of Survey for Martin Marietta Materials, Inc. by Barker & Associates Land Surveyors, Inc. dated 09-14-2021 and recorded in Plat Book 23, page 362, Jones County, Georgia.

# Exhibit C Plat of Division from Parent Tract

