

2024 NOV 22 PM 12:59

After Recording Return to:
Chemical Research/Technology, LLC.
Patrick Henderson
1951 Constitution Ave.
Hartford, WI 53027

CROSS-REFERENCE:

County: Beth C. Greene
Deed Book: _____ CLERK OF SUPERIOR COURT
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 Chemical Research/Technology, LLC. as set forth herein.

Fee Simple Owner(s)/Grantor(s): Chemical Research/Technology, LLC.
1951 Constitution Ave.
Hartford, WI 53027

Grantee/Holder with the power to enforce: Chemical Research/Technology, LLC.
1951 Constitution Ave.
Hartford, WI 53027

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

Persons with Interests other than Fee Simple: Not applicable

Property Subject

The property subject to this Environmental Covenant is a tract of approximately 7.037 acres of real property located at 1401 East Hill Avenue, Valdosta, Lowndes County, Georgia, which is further identified by the tax parcel ID number(s) below (hereinafter "Property"). The Property was conveyed on March 27, 2013 to Chemical Research/Technology, LLC ; such conveyance is recorded in Deed Book 5255, Page 277, of the Lowndes County deed records. The Property is located in Land Lot 107 of the 11th District of Lowndes County, Georgia.

The tax parcel(s) of the Property is 0157A039 of Lowndes 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 Chemical Research/Technology, LLC, 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 Chemical Research/Technology, LLC, facility/site. Records pertaining to this corrective action are available at the following EPD location(s):

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

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

- A. Real Property. The Property shall be used and maintained only for non-residential uses, as defined in Section 391-3-19-.02 of the HSRA Rules as of the date of this Environmental Covenant. At no time subsequent to the date hereof shall the Property, or any portion thereof, be used or maintained as "residential property" as such term is defined in the current version of Section 391-3-19-.02(2)(r) of the HSRA Rules. .
- B. Groundwater Limitation. The use or extraction of shallow groundwater to a depth of 50 feet beneath the Property for drinking water or other potable uses shall be prohibited. The use or extraction of groundwater beneath the Property for environmental investigation, monitoring, remediation, and/or corrective action purposes is not impacted by this provision and shall remain permitted.
- C. Interference with Remedy (i.e., maintenance of the approximately 40 foot by 40 foot concrete pad under Tanks T-56 and T-57 and/or groundwater monitoring, if any, as required by the Georgia Environmental Protection Division).
- D. In the event that a building is constructed at the location of the concrete pad under Tanks T-56 and T-57, a vapor intrusion (VI) evaluation is required to address potential VI issues to potential future indoor workers.

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 Chemical Research/Technology, LLC. 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 Chemical Research/Technology, LLC. 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, Chemical Research/Technology, LLC. 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, Chemical Research/Technology, LLC. 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,

Chemical Research/Technology, LLC. 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). Chemical Research/Technology, LLC. represents and warrants that all of the following are true and correct:

- A. Chemical Research/Technology, LLC. holds fee simple title to the Property.
- B. Chemical Research/Technology, LLC. 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 Chemical Research/Technology, LLC. 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 Chemical Research/Technology, LLC. nor will it violate, contravene and/or constitute a breach or default under any agreement, contract, order or instrument to which Chemical Research/Technology, LLC. is a party or by which Chemical Research/Technology, LLC. 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, Chemical Research/Technology, LLC. 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:

Chemical Research/Technology, LLC.
1951 Constitution Ave.
Hartford, WI 53027

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.

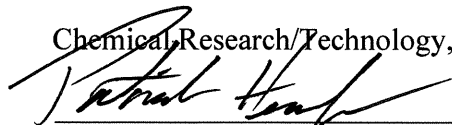
Effective Date

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

Sample signature block, to be amended or updated in accordance with all applicable requirements:

Chemical Research/Technology, LLC.

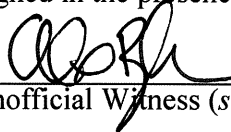


(Signature)

Patrick Henderson

Executive Director of Public and Regulatory
Affairs

Signed in the presence of:



Unofficial Witness (*signature*)

Alex Pyke

Unofficial Witness (*print name*)


State of Wisconsin
County of Waukesha

This instrument was signed or attested before
me this 18th day of June , 2024 by
Patrick Henderson.

☒ ☐

Personally Known

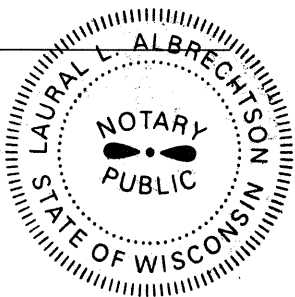
Produced Identification



Notary Public (*Signature*)

My Commission Expires: March 14, 2027

(NOTARY SEAL)



For the Environmental Protection Division, Department of Natural Resources, State of Georgia,
this 18th day of November, 2024:

Jeffrey W. Cown
(Signature)

Jeffrey W. Cown
Director, Environmental Protection Division

Signed in the presence of:

Katie Hegarty
Unofficial Witness (signature)

Katie Hegarty
Unofficial Witness (print name)

State of Georgia
County of Fulton

This instrument was signed or attested before
me this 18 day of November, 2024, by
[Name].

☒ Personally Known
☐ Produced Identification

[Signature]
Notary Public (Signature)

My Commission Expires: 7/9/2027

(NOTARY SEAL)

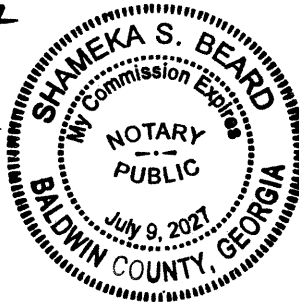


Exhibit A
Legal Description of Property

EXHIBIT A

TRACT 1:

All that certain tract and parcel of land containing 7.037 acres known as the "Nello Plant Site", situate, lying and being in the City of Valdosta, Lowndes County, Georgia, and being a portion of Original Land Lot No. 107 in the Eleventh (11th) Land District of said County, and more particularly described as follows:

Beginning at an iron pipe located on the southern boundary line of the right of way of East Hill Avenue (U.S. Highway No. 84) in the City of Valdosta, Lowndes County, Georgia, at the point of intersection of the southern boundary line of said Hill Avenue (U.S. Highway No. 84) with the West original land line of Land Lot No. 107 in the Eleventh Land District of said county and which iron pipe is located by reference to the grid coordinates, in feet, of the Georgia Coordinate System, West Zone, at Y(Lat.) 305,758.82 and X(Dep.) 784,460.89, and from said point of beginning running thence North 88 degrees 43 minutes East along the southern boundary line of said Avenue (Highway) a distance of 2082.99 feet to a concrete monument located on said boundary line; thence North 67 degrees 23 minutes East along said boundary line a distance of 563.24 feet to an iron pipe located on said boundary line; thence South 21 degrees 28 minutes East a distance of 41.85 feet to an iron pipe located on the Northern boundary line of the right of way of the Atlantic Coast Line Railroad; thence South 65 degrees 08 minutes West along the northern boundary line of said railroad right of way a distance of 2727.43 feet to an iron pipe located at the intersection of said northern boundary line of said railroad right of way with the West original Land Lot Line of Land Lot 107; thence North 00 degrees 26 minutes West along said West original Land Lot Line a distance of 213.28 feet to an iron pipe located on the southern boundary line of East Hill Avenue (U.S. Highway No. 84), and marking the point of beginning.

Said lands are the same lands as were conveyed to Nello Chemicals, Inc. by deed of Nello Resins, Inc. dated November 30, 1960, as recorded in Deed Book 62, Page 336, in the Office of the Clerk of the Superior Court of Lowndes County, Georgia, and to Nello Resins, Inc. by deed of The Glidden Company, dated March 23, 1960, as recorded in Deed Book 56, Page 363, in the Office of the Clerk of the Superior Court of Lowndes County, Georgia, in which the western portion of said above described tract is therein described as consisting of lots 1 through 16, inclusive, in Block A, Lots 1 through 12, inclusive, in Block E, and a 50 feet strip lying between said blocks, all being in Burrows Subdivision in said Land Lot as per plat of subdivision recorded in Plat Book 1, Page 291, of the records in Office of the Clerk of the Superior Court of Lowndes County, Georgia, and reference to said deeds, the references therein made and the records thereof is hereby expressly made for all purposes hereof.

The said lands as hereby conveyed are more fully described, bounded and delineated upon a boundary map of a transit survey of said lands, made and prepared under the direction of and certified by J. Dean Gowen, Georgia Registered Surveyor No. 8, March 19, 1964, with the boundaries, metes, courses, distances and controls as shown thereon having been fixed and determined in accordance with the grid coordinates of the Georgia Coordinate System, West Zone, as established by the U.S. Coast and Geodetic Survey, a copy of which map is recorded in Plat Book 10, Page 161, in the Office of the Clerk of the Superior Court of Lowndes County, Georgia, as well as a copy of which is hereto attached, and reference to which is hereby expressly made for a more full and complete description of said land.

The said land is hereby conveyed subject to such existing utility easements as may be shown of record or evidenced by use.

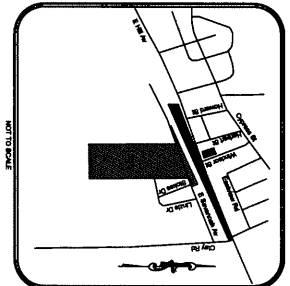
Exhibit B
Map of Property

- [illegible]

Miscellaneous Notes

1. A patient with a 10-year history of rheumatoid arthritis (RA) is being treated with chronic low-dose prednisone (5 mg daily). The patient is also taking aspirin for pain management. The physician is considering adding a disease-modifying antirheumatic drug (DMARD) to the regimen. Which of the following is the most appropriate choice?
2. A 65-year-old male patient with a long history of hypertension is being treated with lisinopril. He has recently been diagnosed with type 2 diabetes mellitus and is starting insulin therapy. The physician is considering adding a statin to the regimen. Which of the following is the most appropriate choice?
3. A 45-year-old female patient with a long history of asthma is being treated with inhaled corticosteroids. She has recently been diagnosed with osteoporosis and is starting bisphosphonate therapy. The physician is considering adding a vitamin D supplement to the regimen. Which of the following is the most appropriate choice?
4. A 70-year-old male patient with a long history of heart failure is being treated with furosemide. He has recently been diagnosed with chronic kidney disease and is starting dialysis. The physician is considering adding a potassium supplement to the regimen. Which of the following is the most appropriate choice?
5. A 55-year-old female patient with a long history of depression is being treated with sertraline. She has recently been diagnosed with hypothyroidism and is starting levothyroxine therapy. The physician is considering adding a thyroid function test to the regimen. Which of the following is the most appropriate choice?
6. A 30-year-old male patient with a long history of epilepsy is being treated with carbamazepine. He has recently been diagnosed with liver disease and is starting antiviral therapy. The physician is considering adding a liver function test to the regimen. Which of the following is the most appropriate choice?
7. A 60-year-old female patient with a long history of osteoarthritis is being treated with acetaminophen. She has recently been diagnosed with chronic liver disease and is starting antiviral therapy. The physician is considering adding a liver function test to the regimen. Which of the following is the most appropriate choice?
8. A 40-year-old male patient with a long history of chronic pain is being treated with oxycodone. He has recently been diagnosed with chronic kidney disease and is starting dialysis. The physician is considering adding a potassium supplement to the regimen. Which of the following is the most appropriate choice?
9. A 50-year-old female patient with a long history of anxiety disorder is being treated with alprazolam. She has recently been diagnosed with hypothyroidism and is starting levothyroxine therapy. The physician is considering adding a thyroid function test to the regimen. Which of the following is the most appropriate choice?
10. A 65-year-old male patient with a long history of heart failure is being treated with furosemide. He has recently been diagnosed with chronic kidney disease and is starting dialysis. The physician is considering adding a potassium supplement to the regimen. Which of the following is the most appropriate choice?

Vicinity Map



Zoning Information

The surveyor was not provided with zoning information pursuant to Table A Item 6a and 6b.

Record Description

1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 26

As-Surveyed Description

[illegible]

ALTA/ACSM I and Title Survey

Client Graphics - Veldosta
 8440 Highway 30, 2013224, 001
 800 Home Point
 1407 East 19th Avenue, Veldosta, GA
 based upon This Commitment No. 1 Commitment No. 1
 of Powers of This Company
 bearing an effective date of February date of This Commitment

Signature Certification

Survivor's Certification

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2011 Minimum Standard Data Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 8a, 7b, 7c, 8, 11a, 13, 14, 16, 17, 18 of Table A thereof. The field work was completed on November 21, 2012.

Items Corresponding to Schedule B-11

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Significant Observations

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Utility Notes

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