

After Recording Return to:  
William Lamar Ash  
1615 Athens Road  
Crawford, GA 30630

CROSS-REFERENCE:  
Deed Book: 21D  
Page: 37-38

**Environmental Covenant**

This instrument is an Environmental Covenant executed pursuant to the Georgia Uniform Environmental Covenants Act (hereinafter "Act"), O.C.G.A. § 44-16-1, *et seq.* This Environmental Covenant is entered into by William Lamar Ash and the State of Georgia, Department of Natural Resources, Environmental Protection Division (hereinafter "EPD") and subjects the property identified below to the activity and/or use limitations and other requirements and grants such other rights in favor of EPD and William Lamar Ash as set forth herein.

**Fee Simple Owner/Grantor:**

William Lamar Ash  
1615 Athens Road  
Crawford, GA 30630

**Grantee/Holder with the power to enforce:**

William Lamar Ash  
1615 Athens Road  
Crawford, GA 30630

**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

**Persons with Interests other than Fee Simple:**

**Property Subject**

The property subject to this Environmental Covenant is located on 1615 Athens Road, Crawford, Oglethorpe County, Georgia, and further identified by the tax parcel ID number below (hereinafter "Property"). The tract is located in the 1303<sup>rd</sup> District of Oglethorpe County, Georgia, containing 75.22acres, more or less, being bounded, now or formerly as follows: on the Northwest E.W. Spray: on the Southwest by Wolfskin Road; and on the Northeast by U.S. Highway 78. The location of the specific area at the Property is designated as "Area A" with land use and activity restrictions subject to this Environmental Covenant. A legal description of the "Area A" is attached as Exhibit A and a map of the "Area A" is attached as Exhibit B.

**Tax Parcel ID Number:** 052 023 of Oglethorpe County, Georgia

DDC# 002720  
FILED IN OFFICE  
12/15/2017 10:21 AM  
BK:85 PG:1-9  
KELLI PARADISE SMITH  
CLERK OF SUPERIOR  
COURT  
OGLETHORPE COUNTY

### **Name and Location of Administrative Record**

This administrative record for the environmental response project is identified as Hazardous Site Inventory No. 10706, Wolfskin Subdivision Site. This record is available for review at the following location:

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

### **Declaration of Covenant:**

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

Grantor makes the following declaration as to restrictions to which the Property, in the area designated as "Area A", may be put and specifies that such declarations shall constitute covenants to run with the land, pursuant to O.C.G.A. § 44-16-5(a); is perpetual, unless modified or terminated pursuant to the terms of this Covenant pursuant to O.C.G.A. § 44-16-9; and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Property. Should a transfer or sale of the Property occur before such time as this Environmental Covenant has been amended or revoked then said Environmental Covenant shall be binding on the transferee(s) or purchaser(s).

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

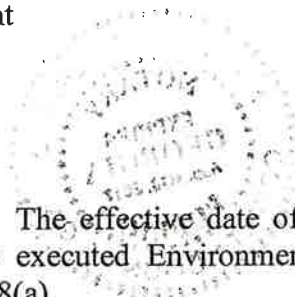
### **Activity and/or Use Limitation**

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

### **General Provisions**

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

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



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

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

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

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

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

**Grantor has caused this Environmental Covenant to be executed pursuant to The Georgia Uniform Environmental Covenants Act, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.**

Signed, sealed, and delivered in the presence of:

**For Grantor:**

Sarah Lou Ash  
Unofficial Witness (Signature)

WILLIAM LAMAR ASH  
Name of Grantor (Print)

Sarah Lou Ash  
Unofficial Witness Name (Print)

William Lamar Ash (Seal)  
Authorized Representative (Signature)

\_\_\_\_\_

Authorized Representative Name (Print)

\_\_\_\_\_

\_\_\_\_\_

Unofficial Witness Address (Print)

Title of Authorized Representative (Print)

Marianne Molinaro  
Notary Public (Signature)

Dated: \_\_\_\_\_



My Commission Expires: 8/13/17

Signed, sealed, and delivered in the presence of:

Eugene W. Spray  
Unofficial Witness (Signature)

Eugene W. Spray  
Unofficial Witness Name (Print)

Unofficial Witness Address (Print)

Marianne Molnar  
Notary Public (Signature)

My Commission Expires: 8/13/17

Signed, sealed, and delivered in the presence of:

Jarice Spray  
Unofficial Witness (Signature)

Jarice Spray  
Unofficial Witness Name (Print)

Eugene W. Spray

Eugene W. Spray  
Unofficial Witness Address (Print)

Notary Public (Signature)

My Commission Expires: \_\_\_\_\_

For Grantee/Holder:

WILLIAM LAMAR ASH  
Name of Grantee/Holder (Print)

William Lamar Ash (Seal)  
Authorized Representative (Signature)

WILLIAM LAMAR ASH  
Authorized Representative Name (Print)

Owner William Lamar Ash  
Title of Authorized Representative (Print)



For the State of Georgia  
Environmental Protection Division:

\_\_\_\_\_  
(Signature) (Seal)

Richard E. Dunn  
Director

Dated: \_\_\_\_\_  
(NOTARY SEAL)

Signed, sealed, and delivered in the presence of:

**For the State of Georgia  
Environmental Protection Division:**

Sydney Pones  
Unofficial Witness (Signature)

Sydney Brogden  
Unofficial Witness Name (Print)

2 MLK Jr. Dr. SE  
Atlanta, GA 30334  
Unofficial Witness Address (Print)

Tamara C. Fischer  
Notary Public (Signature)

My Commission Expires: 7-27-18

R. E. Dunn (Seal)  
(Signature)

Richard E. Dunn  
Director

Dated: 11/15/17  
(NOTARY SEAL)

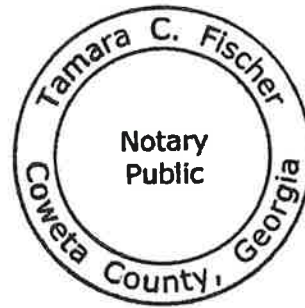




Exhibit A

Area A Legal Description

All that tract or parcel of land lying and being in the 1303 G.M.D., Oglethorpe County, Georgia, and being more particularly described as follows:

Beginning at the intersection of the easterly line of County Road No. 77 and the southerly line of U.S. Highway No. 78, running thence south 29 degrees 16 minutes 17 seconds west a distance of 268.4 feet more or less to an iron pin; said point being the point and place of beginning. Running thence south 63 degrees 8 minutes 11 seconds east a distance of 199.80 feet to a point; thence south 52 degrees 54 minutes 40 seconds west a distance of 222.99 feet to a point; thence north 63 degrees 50 minutes 12 seconds west a distance of 110.37 feet to a point on the easterly line of County Road No. 77; thence north 29 degrees 16 minutes 17 seconds east a distance of 201.87 feet to the point and place of beginning.

Said tract or parcel of land contains 0.715 Acres, including areas within any easements.



Exhibit B

Map

FILED IN OFFICE

REVISED MARCH 27, 1995  
ADDED 2.26 ACRES BEHIND 1995 APR -5 AM 9:13  
GENE SPRAY HOUSE

*Geneva G. Stamey*  
CLERK, SUPERIOR COURT  
OGLETHORPE CO., GA

RECORDED  
BOOK 16 PAGE 305  
DATE 4-5-95  
GENEVA G. STAMEY, CLERK

CONTINENTAL  
CAN  
COMPANY

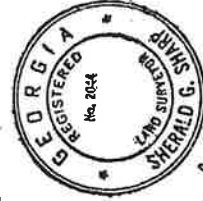
HELMRICH

GRIFFETH

75.22 ACRES

1	S 64°19'48"E	145.96'
2	N 22°29'26"E	300.31'
3	N 63°50'12"W	110.37'
4	N 29°16'17"E	201.87'
5	S 63°08'11"E	199.80'
6	N 25°19'55"E	285.75'
7	S 67°40'30"E	193.09'
8	S 66°32'58"E	248.05'
9	N 22°46'02"E	91.81'
10	S 77°26'47"E	181.50'
11	S 75°23'44"E	310.60'

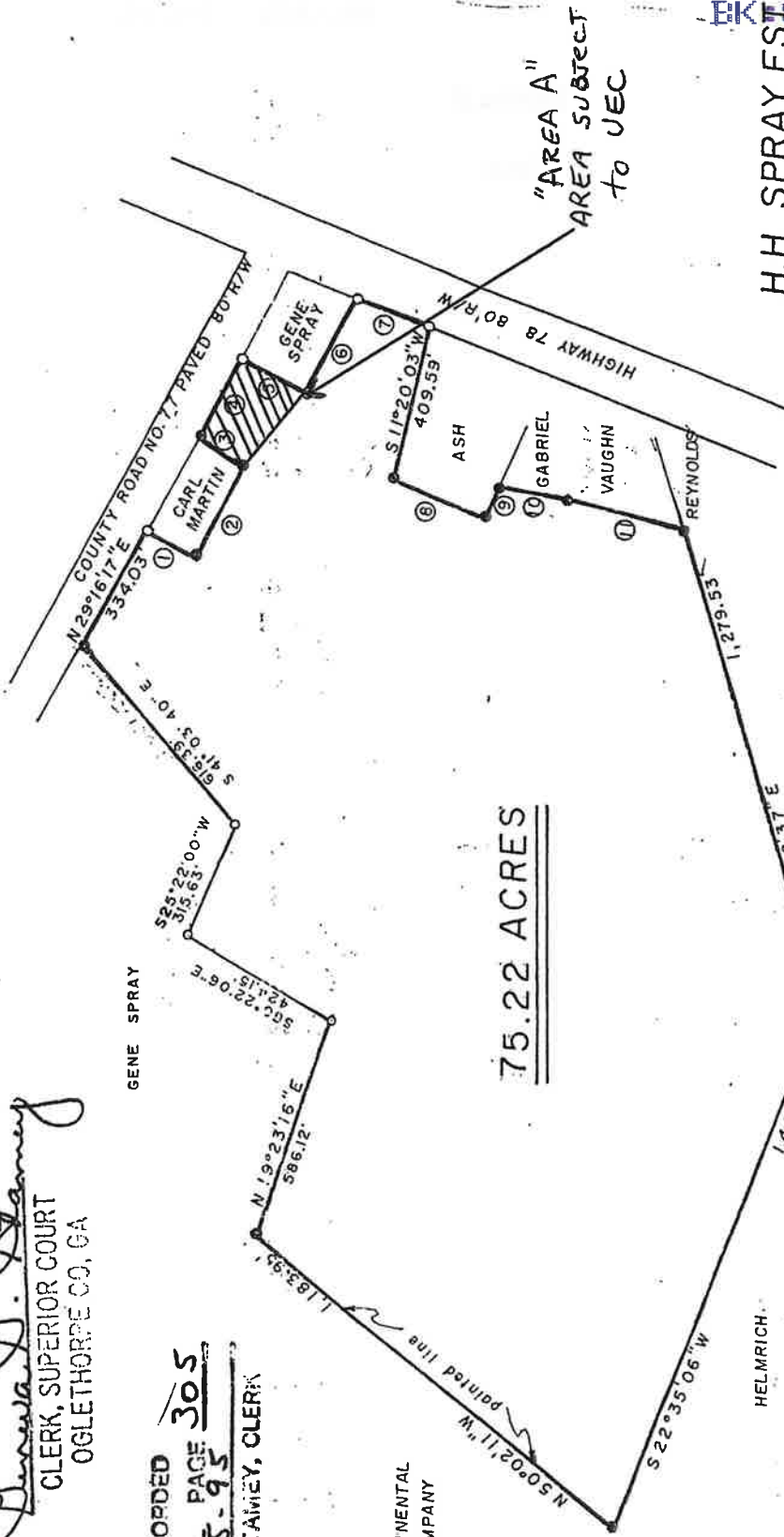
IN MY OPINION, THIS PLAT CONFORMS TO  
THE MINIMUM STANDARDS REQUIRED BY LAW.



*Sherald G. Sharp*

H.H. SPRAY ESTATE  
MAY 30, 1986  
SCALE: 1" = 300'  
GMD 1303  
OGLETHORPE COUNTY, GEORGIA  
PG 19

○ IRON PIN SET ● IRON PIN FOUND



"AREA A"  
AREA SUBJECT  
to UEC

GENE SPRAY

GENE SPRAY

CARL MARTIN

ASH

GABRIEL

VAUGHN

REYNOLDS

HELMRICH

GRIFFETH

HELMRICH

GRIFFETH

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