

2

Bernard J. Youngblood
Wayne County Register of Deeds

March 16, 2007 03:01 PM

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BERNARD J. YOUNGBLOOD
DECLARATION OF RESTRICTIVE COVENANT
REGISTER OF DEEDS
WAYNE COUNTY, MI

MDEQ Reference No.: RC-WHMD-07-001

This Declaration of Restrictive Covenant ("Restrictive Covenant") is made by the Remediation and Liability Management Company, Inc. (REALM), a wholly owned subsidiary of General Motors Corporation (GM), Owner, with an address at 300 Renaissance Drive, Detroit, Michigan 48265, and is recorded with the Wayne County Register of Deeds for the purpose of protecting public health, safety, and welfare, and the environment by prohibiting or restricting activities that could result in unacceptable exposure to environmental contamination present at the property located at 12950 Eckles Road in Livonia, Michigan and legally described in Exhibit 1 attached hereto. The "*Limits of Land Use and Resource Use Restrictions*" attached hereto as Exhibit 2 provides the legal description and survey of the portion of the property described in Exhibit 1 that is subject to the land use and resource use restrictions specified in this Restrictive Covenant (the "Property").

The Property is associated with the GM Former Delphi Chassis Systems Livonia Plant, United States Environmental Protection Agency (USEPA) Identification Number MID005356621, and is the subject of corrective action pursuant to the Resource Conservation and Recovery Act ("RCRA"), 42 USC § 6901 *et seq.* This corrective action will be the subject of an Administrative Order on Consent to be entered into between GM and the USEPA. The Administrative Order on Consent will require GM to reserve the right to enforce the restriction and covenants set forth in this Restrictive Covenant in any document conveying an interest in the Property.

On June 27, 2005, GM submitted to the USEPA a Revised RCRA Corrective Measures Proposal ("CMP") that proposed final corrective measures for the Property. The June 27, 2005, CMP described and documented the investigations, corrective action activities and proposed controls for contamination remaining at the Property. USEPA reviewed GM's CMP, inspected the Property and issued a RCRA Final Decision and Response to Comments dated March 13, 2006, determining that the proposed corrective measures at the Property are approved as long as an enforceable mechanism is in place to ensure that the controls proposed by GM are implemented and remain in place. This Restrictive Covenant and the Administrative Order on Consent are collectively intended to be such a mechanism.

The CMP provides that this Restrictive Covenant will be recorded with the Wayne County Register of Deeds to: 1) prohibit groundwater use on the Property for any purpose; 2) restrict the uses of the Property for any purpose other than those characterized by the Michigan Department of Environmental Quality ("MDEQ") as Limited Commercial II, Limited Commercial III, Limited Commercial IV and Limited Industrial, unless otherwise agreed to by GM and USEPA and in consultation with MDEQ; and, 3) maintain the barrier wall consistent with the existing conditions, located in the area of the Property as generally shown on Exhibit 3 attached hereto, under an Operations, Maintenance and Monitoring Plan (OMM Plan) approved by USEPA

The land and resource use restrictions contained in this Restrictive Covenant are based upon information available at the time the CMP was approved by the USEPA. Failure of the corrective action activities to achieve and maintain the exposure controls and requirements specified in the CMP; future changes in the environmental condition of the Property; the discovery of environmental conditions at the Property that were not accounted for in the CMP; or use of the Property in a manner inconsistent with the restrictions described herein, may result in conditions at the Property not being protective of public health, safety, and welfare, and the environment.

February 22, 2007

NOT 51 GR 15 PD (A) 25

GM intends to reserve in any future conveyance by GM of an interest in all or part of the Property the right to enforce the restrictions and covenants in this Restrictive Covenant for: (1) GM; (2) USEPA and its authorized representatives, as third party beneficiary, and (3) MDEQ and its authorized representatives.

Summary of Corrective Action Activities

Hazardous substances including chromium, and nickel have been detected at the Property at concentrations above generic residential cleanup criteria for applicable exposure pathways promulgated under Part 201, Environmental Remediation, of the Michigan Natural Resources and Environmental Protection Act ("NREPA"), MCL § 324.20101 *et seq.*, as amended. Corrective action has been undertaken to address this contamination. In the southwest corner of the adjacent parcel ("Area 1" in Corrective Action Documents), a soil-bentonite and jet grout barrier wall have been installed to control the migration of chromium and nickel-impacted groundwater. On the Property, the groundwater in Area 1 is collected in a French drain collection system and treated at the treatment plant, prior to being discharged to the Detroit Water and Sewerage Department (DWSD) sanitary sewer. A groundwater monitoring plan, approved by USEPA on August 17, 2006, has been implemented for the Property to ensure that concentrations of constituents at the south property boundary remains stable or declines.

Areas of the Property described in Exhibit 2 may contain hazardous substances in excess of the concentrations developed as the unrestricted residential generic criteria under Section 20120a(1)(a) or (17) of the Michigan NREPA that have not been addressed by the activities undertaken to date. Prospective purchasers or users of the Property should undertake appropriate due diligence prior to acquiring or using this Property, and undertake appropriate actions to comply with the requirements of Section 20107a of the NREPA and the CMP and the Final Decision issued by USEPA.

Definitions

"MDEQ" means the Michigan Department of Environmental Quality, its successor entities, and those persons or entities acting on its behalf.

"Owner" means at any given time the then current title holder of the Property or any portion thereof, including the title holder's lessees and those persons or entities authorized to act on its behalf.

"USEPA" means the United States Environmental Protection Agency, its successor entities, and those persons or entities acting on its behalf.

All other terms used in this document which are defined in RCRA and/or Part 3, Definitions, of the NREPA; Part 201 of the NREPA; or the Part 201 Administrative Rules ("Part 201 Rules"), 1990 AACSR 299.5101 *et seq.*, shall have the same meaning in this document as in RCRA and Parts 3 and 201 of the NREPA and the Part 201 Rules, as of the date of filing of this Restrictive Covenant.

February 22, 2007

NOW THEREFORE,

Declaration of Land Use or Resource Use Restrictions

GM, on behalf of itself, its successors, transferees and assigns, covenants and declares that the Property shall be subject to those restrictions on use described below and intends that said restrictions and covenants shall run with the land, and may be enforced in perpetuity against the Owner by the following entities: (1) GM, if it is no longer the Owner; (2) MDEQ and its assigns, pursuant to Part 201 of the NREPA; and (3) USEPA and its assigns, as Third Party Beneficiary.

1. The Owner shall prohibit all uses of the Property described in Exhibit 2 that are not compatible with the Limited Commercial II, Limited Commercial III, Limited Commercial IV, or Limited Industrial land use categories established by MDEQ under Sections 20120a(1)(g) and (i) of the NREPA, and generally described in the *Description of Allowable Uses*, attached hereto as Exhibit 4, unless otherwise agreed to by GM and USEPA and in consultation with MDEQ.

2. The Owner shall manage all soils, media and/or debris that are excavated or disturbed on the Property in accordance with the applicable requirements of Section 20120c of the NREPA; Part 111, Hazardous Waste Management, of the NREPA; Subtitle C of RCRA; the administrative rules promulgated thereunder; TSCA and all other applicable state and federal laws.

3. The Owner shall prohibit any construction of wells or other devices to extract groundwater for consumption, irrigation, or any other use, except for wells and devices that are part of a corrective action activity on the Property described in Exhibit 2. Short-term dewatering for construction purposes is permitted, provided the dewatering, including management and disposal of the groundwater, is conducted in accordance with all applicable local, state, and federal laws and regulations and does not cause or result in a new release, exacerbation of existing contamination, or any other violation of local, state, and federal environmental laws and regulations including, but not limited to, RCRA and Part 201 of the NREPA.

4. The Owner shall prohibit any excavation or other intrusive activity that could impact the effectiveness of the barrier wall in the southern and western areas of the Property generally shown on Exhibit 3. In the event any future use or redevelopment of the Property involves any disturbance or replacement of the existing barrier wall or cover, the Owner must contact GM and USEPA for written approval. The Owner shall replace the existing barrier wall with a wall or cover system that achieves the same performance standards as the existing barrier wall and has the written approval of GM and USEPA.

5. The Owner shall not in any way interfere with the operation or performance of the groundwater collection and treatment system on the property immediately adjacent to the southwest property boundary and identified as the REALM property on Exhibit 3. The location of the groundwater collection and treatment system is generally shown on Exhibit 3.

6. The Owner shall not remove, disturb or damage any monitoring wells on the property except as provided in the OMM Plan without USEPA approval.

February 22, 2007

7. The Owner shall not remove, cover, obscure, or otherwise alter or interfere with the permanent markers placed at the locations noted in the Permanent Marker Plan, Exhibit 5. The Owner shall keep vegetation and other materials clear of the permanent markers to ensure that the markers are readily visible.

8. The Owner shall provide notice to the USEPA Region 5 and the MDEQ of the Owner's intent to transfer any interest in the Property at least twenty-one (21) days prior to consummating the conveyance. A conveyance of title, easement, or other interest in the Property shall not be consummated by the Owner without adequate and complete provision for compliance with the terms and conditions of this Restrictive Covenant. The notice required to be made to the MDEQ under this Paragraph shall be made to: Director, MDEQ, PO. Box 30473, Lansing, Michigan 48909-7973; and shall include a statement that the notice is being made pursuant to the requirements of this Restrictive Covenant, MDEQ Reference Number RC-WHMD-07-001. The notice required to be made to the USEPA under this Paragraph shall be made to: Director, RCRA Corrective Action, United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, D-8J, Chicago, Illinois, 60604-3507. A copy of this Restrictive Covenant shall be provided to all future owners, heirs, successors, lessees, easement holders, assigns, and transferees by the person transferring the interest.

9. This Restrictive Covenant may only be modified or rescinded with the written approval of the USEPA and GM and in consultation with MDEQ.

10. The Owner shall provide written notice to GM, USEPA, and MDEQ within seven days of the time the Owner becomes aware of any activities that are inconsistent with the restrictions and covenants in this Restrictive Covenant.

11. GM on behalf of itself and its successors in title consents to the USEPA and the MDEQ and their designated representatives having the right to enter the Property at reasonable times for the purpose of determining and monitoring compliance with the Consent Order, including the right to take samples, inspect the operation of the response activities and, inspect any records relating thereto, and to perform any actions necessary to maintain compliance with the Consent Order.

12. GM is entitled to enforce the restrictions and covenants in this Restrictive Covenant by specific performance or other legal action in a court of competent jurisdiction against subsequent Owners of all or part of the Property. GM, on behalf of itself and its successors in title, intends and agrees that MDEQ, pursuant to Part 201 of NREPA, and the USEPA, as a third party beneficiary, are entitled to enforce the restrictions and covenants in this Restrictive Covenant by specific performance or other legal action in a court of competent jurisdiction against GM, as Owner, and thereafter against subsequent Owners of all or a part of the Property. All remedies available hereunder shall be in addition to any and all other remedies at law or equity.

13. If any provision of this Restrictive Covenant is held to be invalid by any court of competent jurisdiction, the invalidity of such provision shall not affect the validity of any other provisions hereof, and all such other provisions shall continue unimpaired and in full force and effect.

14. GM hereby reserves unto itself, its representatives, contractors, and assigns, the right of access to, and an easement to and over, the Property to enter the Property with persons

and such equipment as determined necessary in GM's sole discretion and judgment to implement any remediation and corrective actions required under the environmental laws. Notwithstanding the foregoing, prior to entering onto the Property pursuant to this provision, GM shall provide subsequent Owners of all or part of the Property reasonable notice. Subsequent Owners of all or part of the Property shall be entitled to escort GM, or its agent, employees or contractors onto the Property and observe all of GM's activities, and GM shall comply with all applicable laws and regulations in connection with GM's access to the Property.

15. List of Exhibits:

Exhibit 1 – Legal Description

Exhibit 2 – Limits of Land Use and Resource Use Restrictions – Survey and Legal Description

Exhibit 3 – General Location of Corrective Action Components

Exhibit 4 – Description of Allowable Uses

Exhibit 5 – Permanent Marker Plan

16. The undersigned person executing this Restrictive Covenant is the Owner, or has the express written permission of the Owner, and represents and certifies that he or she is duly authorized and has been empowered to execute and deliver this Restrictive Covenant.

[SIGNATURES BEGIN ON NEXT PAGE]

February 22, 2007

February 22, 2007

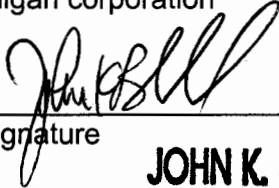
IN WITNESS WHEREOF,

General Motors Corporation has caused this Restrictive Covenant, RC-WHMD-07-001 to be executed on this 12TH day of MARCH, 2007.

EXECUTION RECOMMENDED
WORLDWIDE REAL ESTATE
BY John K. Blanchard
On 12-28-11

**REMEDICATION AND LIABILITY
MANAGEMENT COMPANY, INC.**

A Michigan corporation

By: 

Signature

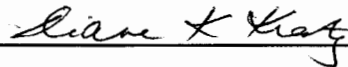
Name:

**JOHN K. BLANCHARD
VICE PRESIDENT**

Its:

STATE OF MICHIGAN)
COUNTY OF WAYNE) ss.
—)

The foregoing instrument was acknowledged before me in Wayne County, Michigan, this 12TH day of MARCH, 2007 by JOHN K. BLANCHARD, Worldwide Real Estate of General Motors Corporation, a Delaware corporation, on behalf of the Corporation.



Print name: DIANE K. KRATZ
Notary Public, State of Michigan,
County of WAYNE
My commission expires 11-28-11
Acting in the County of WAYNE

Prepared by ~~and when recorded return to:~~

Anthony P. Thrubis, Esq.
General Motors Corporation
Legal Staff
P.O. Box 300
Detroit, Michigan 48265
313-665-4768

WHEN RECORDED RETURN TO:
LANDAMERICA - NCS
1050 Wilshire Dr., Ste. 310
Troy, MI 48064
Case No. NO98848

**DIANE K. KRATZ
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES NOV 28, 2011
ACTING IN COUNTY OF**

RESTRICTIVE COVENANT DESCRIPTION

A PART OF THE NORTH ½ OF SECTION 30, T. 1 S., R. 9 E., CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN.

COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 30, THENCE N.00°26'07"E., 43.00 FEET ALONG THE WEST LINE OF SECTION 30; THENCE S.89°32'30"E., 60.00 FEET TO THE POINT OF BEGINNING; THENCE N.00°26'07"E., 199.00 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF ECKLES ROAD(120' R.O.W.); THENCE S.89°32'30"E., 765.44 FEET; THENCE S.00°26'07"W., 199.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF AMRHEIN ROAD(86' R.O.W.); THENCE N.89°32'30"W., 765.44 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

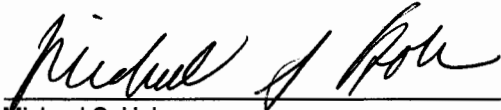
CONTAINING 152,323 SQ. FT.
3.50 ACRES

WITNESSES

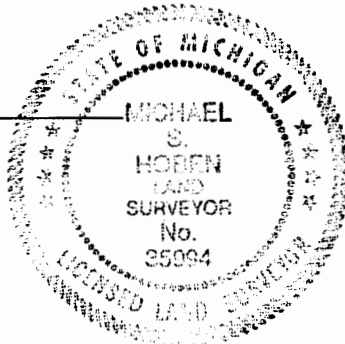
1. WEST 1/4 SECTION 30
FOUND IRON IN MON. BOX
N75°E 174.19' "X" CUT IN CONC. BASE OF CAMERA TOWER
S81°E 171.65' CENTERLINE OF FIRE HYDRANT
S66°E 60.64' "X" CUT NE BOLT OF LAMP POST
N27°W 117.05' CENTERLINE OF FIRE HYDRANT
2. CENTER 1/4 CORNER OF SECTION 30
FOUND IRON IN MON. BOX
N75°E 64.92' POWER POLE
S72°E 85.14' CENTERLINE OF FIRE HYDRANT
SOUTH 33.03' "X" CUT IN CONCRETE
N76°W 142.47' PK & WASHER IN NE FACE OF UTILITY POLE

CERTIFICATION

AS A PROFESSIONAL SURVEYOR IN THE STATE OF MICHIGAN, I HEREBY STATE THAT I HAVE CAUSED TO BE SURVEYED THE PARCEL OF LAND DESCRIBED AND DELINEATED HEREON, THAT SAID PLAT IS A TRUE REPRESENTATION OF THE SURVEY AS DIRECTED BY ME, AND THAT THERE ARE NO ENCROACHMENTS OTHER THAT AS SHOWN HEREON: THAT SAID SURVEY WAS PREFORMED WITH AN ERROR OF CLOSURE NO GREATER THAN 1 IN 5000 AND THAT I HAVE FULLY COMPLIED WITH THE REQUIREMENTS OF P.A. 132 OF 1970 AS AMENDED.



Michael S. Hoben
35994



WEST ¼ CORNER
SECTION 30
T.1S., R.9E.
CITY OF LIVONIA
WAYNE COUNTY
MICHIGAN



**CONESTOGA-ROVERS
& ASSOCIATES**

TITLE
SURVEY TO ESTABLISH AND DELINEATE
AN AREA OF RESTRICTIVE COVENANT
12950 ECKLES ROAD
LIVONIA, MICHIGAN

DRAWN D.M.G.

APPROVED M.H.

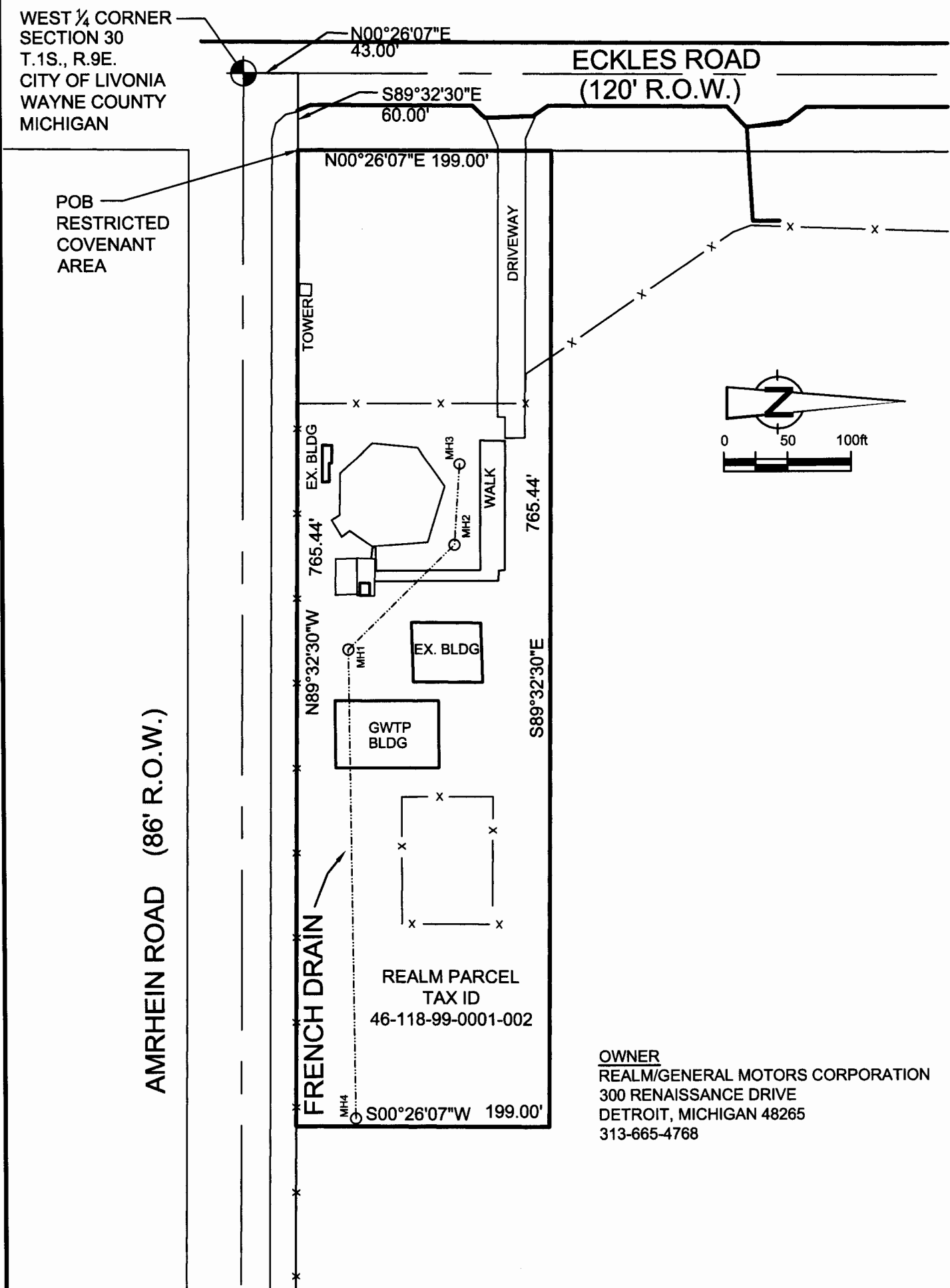
PROJECT No. 12607-40

SCALE N.T.S.

DATE 02/22/2007

DRAWING NUMBER SHEET 2 OF 2

EXHIBIT 2 (PAGE 1 OF 2)
LIMITS OF LAND USE AND RESOURCE
USE RESTRICTIONS
SURVEY AND LEGAL DESCRIPTION



WEST ¼ CORNER
SECTION 30
T.1S., R.9E.
CITY OF LIVONIA
WAYNE COUNTY
MICHIGAN

TITLE
SURVEY TO ESTABLISH AND DELINEATE
AN AREA OF RESTRICTIVE COVENANT
12950 ECKLES ROAD
LIVONIA, MICHIGAN

DRAWN D.M.G.

APPROVED M.H.

PROJECT No. 12607-40

SCALE 1"=100'

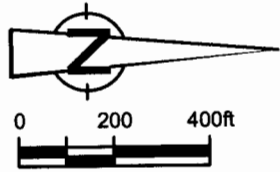
DATE 02/22/2007

DRAWING NUMBER SHEET 1 OF 2



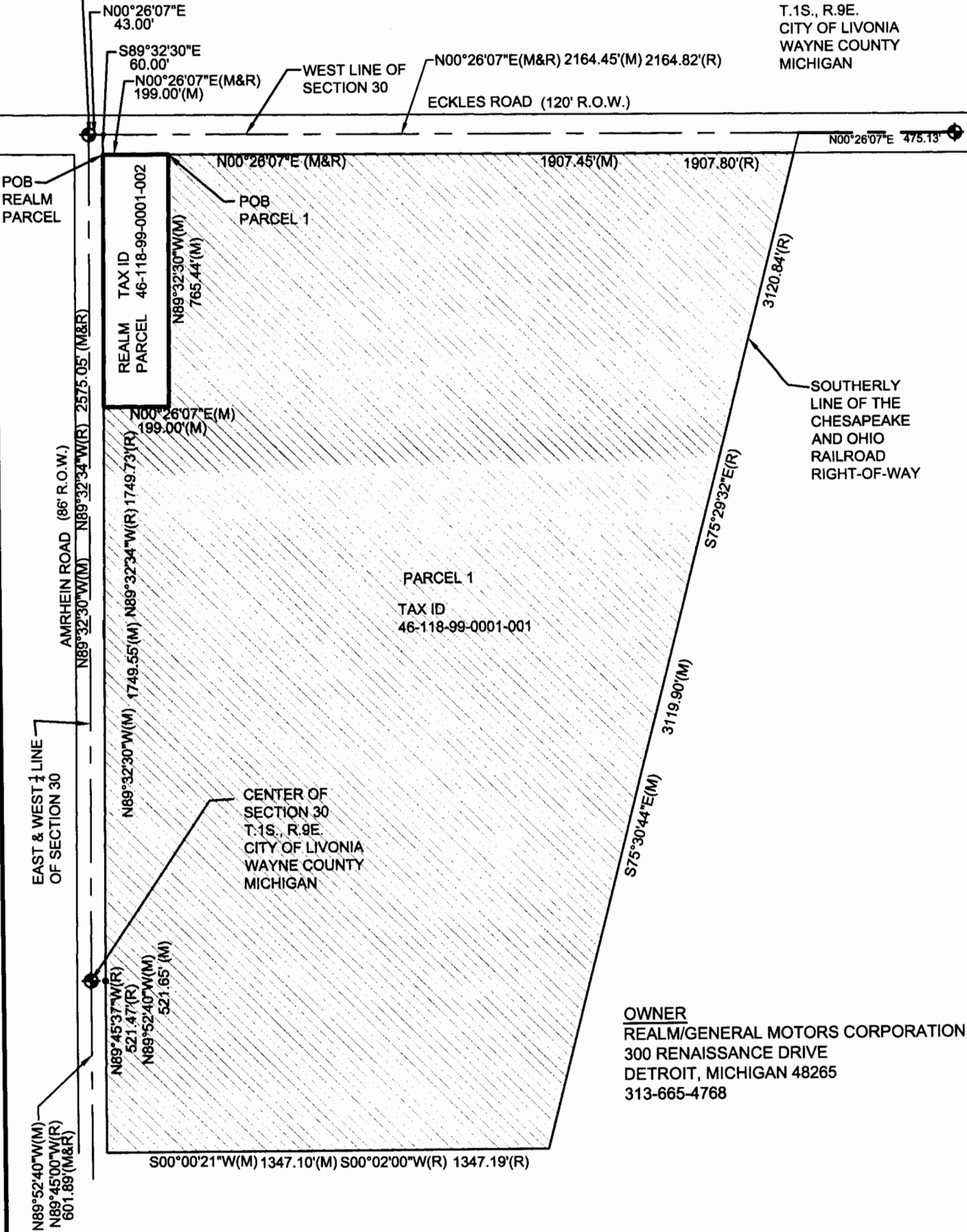
**CONESTOGA-ROVERS
& ASSOCIATES**

EXHIBIT 1 (PAGE 1 OF 2)
SURVEY AND LEGAL DESCRIPTION



WEST ¼ CORNER
SECTION 30
T.1S., R.9E.
CITY OF LIVONIA
WAYNE COUNTY
MICHIGAN

NORTHWEST CORNER
SECTION 30
T.1S., R.9E.
CITY OF LIVONIA
WAYNE COUNTY
MICHIGAN



OWNER
REALM/GENERAL MOTORS CORPORATION
300 RENAISSANCE DRIVE
DETROIT, MICHIGAN 48265
313-665-4768

WEST ¼ CORNER
SECTION 30
T.1S., R.9E.
CITY OF LIVONIA
WAYNE COUNTY
MICHIGAN

TITLE
SURVEY AND LEGAL DESCRIPTION
12950 ECKLES ROAD
13000 ECKLES ROAD
LIVONIA, MICHIGAN

DRAWN D.M.G.

APPROVED M.H.

PROJECT No. 12607-40

SCALE 1"=400'

DATE 02/22/2007

DRAWING NUMBER SHEET 1 OF 2



**CONESTOGA-ROVERS
& ASSOCIATES**

PARENT PARCEL

A PART OF THE NORTH 1/2 OF SECTION 30, T. 1 S., R. 9 E., CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN. BEGINNING AT THE WEST 1/4 CORNER OF SAID SECTION 30 AND PROCEEDING THENCE N.00°26'07"E. (M&R), 2164.45 FEET(M), 2164.82 FEET(R) ALONG THE WEST LINE OF SECTION 30 TO A POINT ON THE SOUTHERLY LINE OF THE CHESAPEAKE AND OHIO RAILROAD RIGHT-OF-WAY; THENCE S.75°30'44"E.(M), S.75°29'32"E.(R), 3265.03 FEET(M), 3265.32 FEET(R) ALONG SAID RIGHT-OF-WAY; THENCE S.00°02'00"W.(M&R), 1369.43 FEET(M), 1370.61 FEET(R) TO A POINT ON THE EAST AND WEST 1/4 LINE OF SECTION 30; THENCE ALONG SAID LINE THE TWO (2) FOLLOWING COURSES N.89°52'40"W(M), N.89°45'00"W.(R), 601.89 FEET(M&R) AND N.89°32'30"W.(M), N.89°32'34"W.(R), 2575.05 FEET(M&R) TO THE POINT OF BEGINNING.
CONTAINING 5,607,542 SQ. FT.
128.73 ACRES

PARCEL 1

A PART OF THE NORTH 1/2 OF SECTION 30, T. 1 S., R. 9 E., CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN.
COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 30, THENCE N.00°26'07"E., 43.00 FEET ALONG THE WEST LINE OF SECTION 30; THENCE S.89°32'30"E., 60.00 FEET; THENCE N.00°26'07"E.(M), 199.00(M) TO THE POINT OF BEGINNING; THENCE N.00°26'07"E.(M&R), 1907.45 FEET(M), 1907.80 FEET(R) ALONG ECKLES ROAD RIGHT-OF-WAY(120' R.O.W.) TO A POINT ON THE SOUTHERLY LINE OF THE CHESAPEAKE AND OHIO RAILROAD RIGHT-OF-WAY; THENCE S.75°30'44"E.(M), S.75°29'32"E.(R), 3119.90 FEET(M), 3120.84 FEET(R) ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE; THENCE S.00°00'21"W.(M), S.00°02'00"W.(R), 1347.10 FEET(M), 1347.19 FEET(R) TO A POINT ON AMRHEIN ROAD RIGHT-OF-WAY(86' R.O.W.); THENCE ALONG SAID RIGHT-OF-WAY THE TWO(2) FOLLOWING COURSES, N.89°52'40"W.(M), N.89°45'37"W.(R), 521.65 FEET(M), 521.47 FEET(R) AND N.89°32'30"W.(M), N.89°32'34"W.(R), 1749.55 FEET(M), 1749.73 FEET(R); THENCE N.00°26'07"E.(M), 199.00 FEET(M); THENCE N89°32'30"W.(M), 765.44 FEET(M) TO THE POINT OF BEGINNING.
CONTAINING 5,084,422 SQ. FT.
116.72 ACRES

REALM PARCEL

A PART OF THE NORTH 1/2 OF SECTION 30, T. 1 S., R. 9 E., CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN.
COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 30, THENCE N.00°26'07"E., 43.00 FEET ALONG THE WEST LINE OF SECTION 30; THENCE S.89°32'30"E., 60.00 FEET TO THE POINT OF BEGINNING; THENCE N.00°26'07"E., 199.00 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF ECKLES ROAD(120' R.O.W.); THENCE S.89°32'30"E., 765.44 FEET; THENCE S.00°26'07"W., 199.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF AMRHEIN ROAD(86' R.O.W.); THENCE N.89°32'30"W., 765.44 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.
CONTAINING 152,323 SQ. FT.
3.50 ACRES

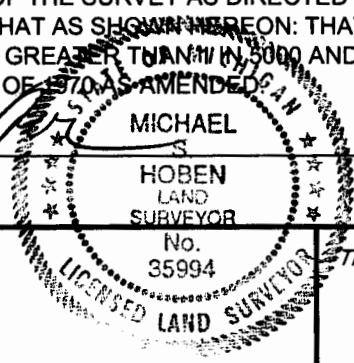
WITNESSES

1. WEST 1/4 SECTION 30
FOUND IRON IN MON. BOX
N75°E 174.19' "X" CUT IN CONC. BASE OF CAMERA TOWER
S81°E 171.65' CENTERLINE OF FIRE HYDRANT
S66°E 60.64' "X" CUT NE BOLT OF LAMP POST
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N76°W 142.47' PK & WASHER IN NE FACE OF UTILITY POLE

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Michael S. Hoben
35994



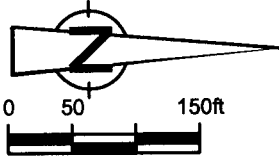
WEST 1/4 CORNER
SECTION 30
T.1S., R.9E.
CITY OF LIVONIA
WAYNE COUNTY
MICHIGAN



CONESTOGA-ROVERS
& ASSOCIATES

TITLE
SURVEY AND LEGAL DESCRIPTION
12950 ECKLES ROAD
13000 ECKLES ROAD
LIVONIA, MICHIGAN

DRAWN D.M.G.	APPROVED M.H.
PROJECT No. 12607-40	SCALE N.T.S.
DATE 02/22/2007	DRAWING NUMBER SHEET 2 OF 2



WEST ¼ CORNER
SECTION 30
T.1S., R.9E.
CITY OF LIVONIA
WAYNE COUNTY
MICHIGAN

S89°32'30"E
60.00'

N00°26'07"E
43.00'

ECKLES ROAD (120' R.O.W.)

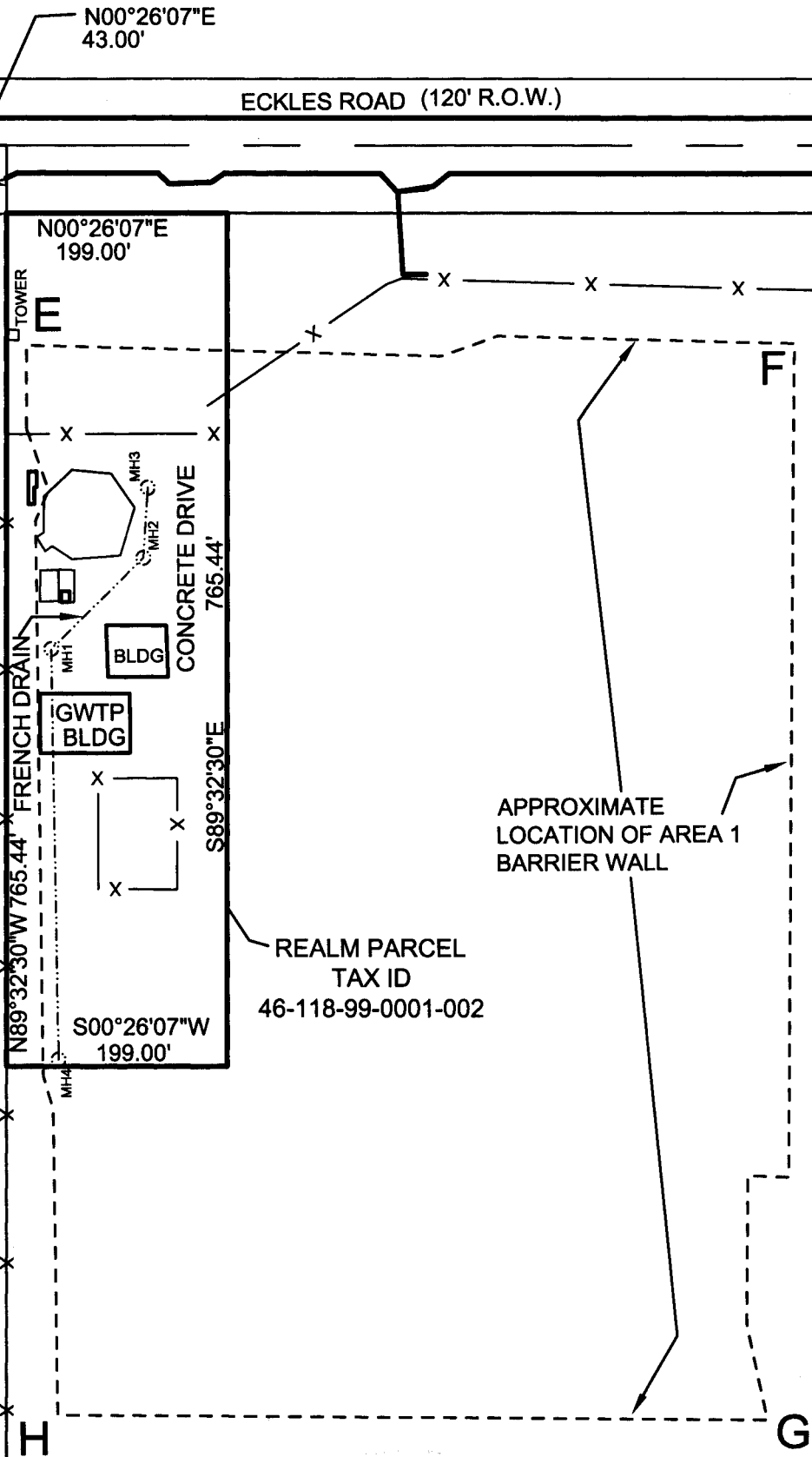
POB
RESTRICTED
COVENANT
AREA

- LEGEND**
- FRENCH DRAIN
 - AREA 1 BARRIER WALL

POINT	X	Y
E	13376324.13	320050.23
F	13376327.60	320744.03
G	13377293.12	320711.60
H	13377284.45	320070.95

MICHIGAN STATE PLANE COORDINATES
SOUTH ZONE

AMRHEIN ROAD (86' R.O.W.)



WEST ¼ CORNER
SECTION 30
T.1S., R.9E.
CITY OF LIVONIA
WAYNE COUNTY
MICHIGAN

TITLE EXHIBIT 3
CORRECTIVE ACTION COMPONENTS
RESTRICTIVE COVENANT
12950 ECKLES ROAD
LIVONIA, MICHIGAN

DRAWN D.M.G.

APPROVED M.H.

PROJECT No. 12607-40

SCALE 1"=150'

DATE 02/22/2007

DRAWING NUMBER SHEET 1 OF 1



**CONESTOGA-ROVERS
& ASSOCIATES**

EXHIBIT 4

DESCRIPTION OF ALLOWABLE USES

Commercial Subcategory II Land Use Category

Any uses allowed under the Commercial Subcategory II Land Use Category, described as follows in RRD Operational Memorandum No. 1, December 10, 2004:

Commercial Subcategory II: The degree of exposure for such employees under subcategory II property is assumed to be equivalent to the exposures used to model outdoor activities in the development of the generic industrial criteria. As a result, a unique set of generic criteria has not been defined for this subcategory of commercial land use. Properties that fall into this subcategory should be addressed through the application of the generic industrial criteria or through a site-specific risk assessment.

This commercial land use subcategory is characterized by the following features. Access to the public is reliably restricted, consistent with its use by fences, security, or both. Affected surficial soils are located in unpaved or landscaped areas that are frequently contacted by worker populations such as groundskeepers, maintenance workers, or other employees whose primary duties are performed outdoors. If groundwater is relied on for drinking water, it is assumed that worker populations receive one-half of their total daily drinking water exposure from the facility. This subcategory could include, but is not limited to, the following uses:

- a) large scale commercial warehouse operations;
- b) wholesale lumber yards;
- c) building supply warehouses.

Commercial Subcategory III Land Use Category

Any uses allowed under the Commercial Subcategory III Land Use Category, described as follows in MDEQ Remediation and Redevelopment Division Operational Memorandum No. 1, December 10, 2004:

Commercial Subcategory III (low soil intensive): A worker whose primary duties take place indoors but also include some outdoor activities such as collecting trash is the receptor for this subcategory. A subcategory III commercial property is characterized by the following features. Access to the public is unrestricted, however, the general public's occupancy of the property is expected to be intermittent and significantly less in frequency and duration relative to the population working at the facility. Although some of the activities for both worker populations and the general public at a subcategory III commercial property are conducted indoors, a significant component of their activity will likely be outdoors. The worker/receptor population at these commercial facilities is expected to engage in low soil intensive activities. Routine outdoor tasks

performed by these workers are unlikely to result in significant physical interaction with the soil. Affected surficial soils may be contacted, primarily by the worker populations (as may be the cases at gas stations, auto dealerships, or building supply warehouses with unpaved areas). If on-site groundwater is relied on for drinking water, it is assumed that worker populations receive one-half of their total daily drinking water exposure from the facility. The receptors for this subcategory are expected to work at the kinds of establishments that are listed below and conducting activities that take place both indoors and outdoors. This subcategory could include, but is not limited to, the following uses:

- a) retail gas stations;
- b) auto service stations;
- c) auto dealerships;
- d) retail warehouses selling the majority of their merchandise indoors but including some limited storage or stockpiling of materials in an outdoor yard (building supply, retail flower, and garden shops not involving on-site plant horticulture and excluding open air nurseries, tree farms, and sod farms which would fall into an agricultural land use);
- e) repair and service establishments including but not limited to, lawn mower, boat, snowmobile, or small appliance repair shops that have small outdoor yards;
- f) small warehouse operations.

Commercial Subcategory IV Land Use Category

Any uses allowed under the Commercial Subcategory IV Land Use Category, described as follows in MDEQ Remediation and Redevelopment Division Operational Memorandum No. 1, December 10, 2004:

Commercial Subcategory IV (high soil intensive): A groundskeeper worker population has been identified as the appropriate receptor population for development in this subcategory. The worker/receptor population at these commercial facilities is expected to engage in high soil intensive activities. The primary tasks performed by these workers will result in significant physical interaction with the soil. A subcategory IV commercial property is characterized by the following features. Access to the public is unrestricted, however, the general public's occupancy of the facility is intermittent in frequency and of short duration relative to the worker populations at the facility (i.e., the frequency and duration of general public occupancy at the property is typified by the time necessary to transact business at a retail establishment or to receive personal services). At least a portion of the worker population at this type of commercial property conducts most of their work activities outdoors; this includes those workers from off-site who work at multiple properties such as commercial landscapers. General public contact with these areas is anticipated to be significantly less than the worker's contact, both in terms of frequency and duration. If groundwater is relied upon for drinking water, worker populations

would receive one-half of their total daily drinking water exposure at the facility. This subcategory could include, but is not limited to, the following uses where landscaping exists or has the potential to exist:

- a) professional offices (lawyers, architects, engineers, real estate, insurance, etc.);
- b) medical/dental offices and clinics (not including hospitals);
- c) banks, credit unions, savings and loan institutions, etc.;
- d) publicly owned office buildings;
- e) any retail business whose principal activity is the sale of food or merchandise within an enclosed building;
- f) personal service establishments which perform services indoors (health clubs, barber/beauty salons, mortuaries, photographic studios, etc.).

Industrial Land Use Category

Any uses allowed under the Industrial Land Use Category, described as follows in MDEQ Remediation and Redevelopment Division Operational Memorandum No. 1, December 10, 2004:

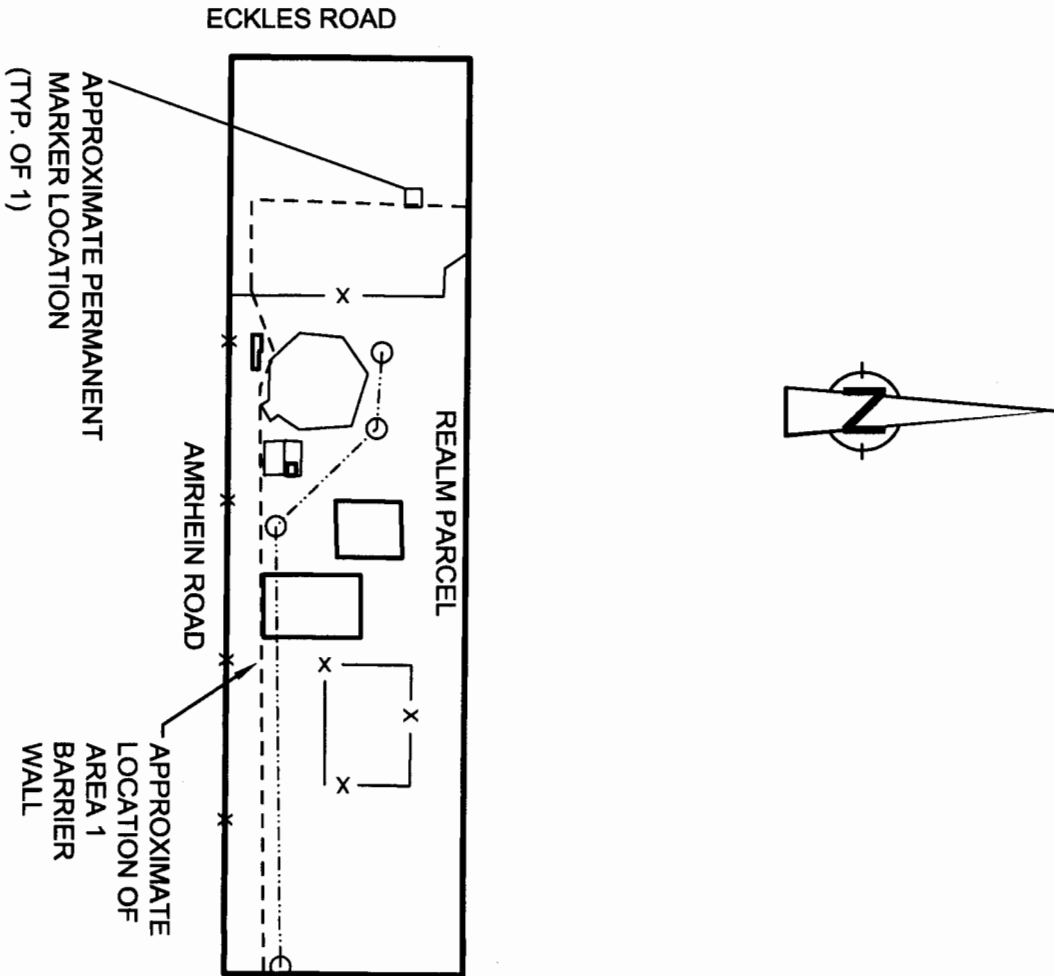
Industrial Land Use Category: Industrial land use includes both of the following two elements:

1. The primary activity at the property is and will continue to be industrial in nature (e.g., manufacturing, utilities, industrial research and development, petroleum bulk storage) and access is and will continue to be reliably restricted consistent with its use (e.g., by fences, security personnel, or both). Inactive or abandoned properties can be included in this category if the use was and/or will be industrial, as described above, and access is controlled as necessary to assure unacceptable exposures do not occur. The industrial category does not include farms, gasoline service stations, or other commercial establishments where children may commonly be present.

2. The current zoning of the property is industrial, the zoning is anticipated to be industrial (see below), or the RAP/CAP includes documentation that the current industrial use is a legal nonconforming use. This may include different zoning designations, depending on the community, such as "light industrial" or "heavy industrial." Documentation of zoning must be included in the RAP/CAP and must include a map or current property record card that shows the zoning status of the facility and all adjacent properties. For each designated zoning category, the documentation must also include the text of the zoning code or ordinance for that designation. If the text for the zoning category refers to any other categories, text for those categories must also be included. If the RAP/CAP is based on anticipated zoning changes, documentation of how and when the zoning changes are to be accomplished and that the proposed criteria are consistent

February 22, 2007

with the new zoning designation must be provided. The MDEQ shall not grant final approval until a final determination of that zoning change has been made by the local unit of government. The RAP/CAP must identify the nearest current residential land uses and nearest properties which are zoned for residential use. Any legal nonconforming land uses in the vicinity of the facility must be identified in the RAP/CAP (e.g., residential use on a parcel zoned "transitional industrial").



PERMANENT MARKER PLAN

THIS IS A SITE OF ENVIRONMENTAL CONTAMINATION.

RESTRICTIONS ARE IN PLACE TO PREVENT UNACCEPTABLE EXPOSURE TO SUBSURFACE CONTAMINATION THAT IS PRESENT. THESE RESTRICTIONS GENERALLY: 1) PROHIBIT GROUNDWATER USE FOR ANY PURPOSE; 2) RESTRICT THE USES OF THE SITE INCLUDING PROHIBITING RESIDENTIAL USE; 3) RESTRICT THE USES OF THE SITE FOR ANY PURPOSE WHICH WILL INTERFERE WITH THE PERFORMANCE OF THE GROUNDWATER EXTRACTION SYSTEM AND TREATMENT OPERATIONS; AND 4) PROHIBIT THE DISTURBANCE OF THE BARRIER WALL WITHOUT THE EXPRESSED WRITTEN APPROVAL FROM GENERAL MOTORS CORPORATION. DETAILS CONCERNING THESE LAND AND RESOURCE RESTRICTIONS CAN BE FOUND AT THE WAYNE COUNTY REGISTER OF DEEDS, LIBER _____, PAGE _____.

TITLE EXHIBIT 5
PERMANENT MARKER PLAN
RESTRICTIVE COVENANT
12950 ECKLES ROAD
LIVONIA, MICHIGAN

DRAWN D.M.G.

APPROVED M.H.

PROJECT No. 12607-40

SCALE N.T.S.

DATE 02/22/2007

DRAWING NUMBER SHEET 1 OF 1



**CONESTOGA-ROVERS
& ASSOCIATES**