

Environmental Covenant

When recorded, return to:

Kenneth H. Stroebel, PG
Environmental Project Manager
Corporate Remediation Services
The Sherwin-Williams Company
101 West Prospect Avenue
Cleveland, OH 44115-1075

ORIGINAL

File # 120791 PH1

The Parcel Identification No. of the Property:

The site is known and designated as Board of Revision Tax Numbers 88-4-217400 and 88-4-217500 for Philadelphia, Pennsylvania.

GRANTOR: The Sherwin-Williams Company

PROPERTY ADDRESS: 5213 Grays Avenue, Philadelphia, Pennsylvania

ENVIRONMENTAL COVENANT

This Environmental Covenant is executed pursuant to the Pennsylvania Uniform Environmental Covenants Act, Act No. 68 of 2007, 27 Pa. C.S. §§ 6501 – 6517 (UECA). This Environmental Covenant subjects the Property identified in Paragraph 1 to the activity and/or use limitations in this document. As indicated later in this document, this Environmental Covenant has been approved by the Pennsylvania Department of Environmental Protection (Department).

1. **Property affected.** The property affected (Property) by this Environmental Covenant is located in the City of Philadelphia, Philadelphia County.

The latitude and longitude of the center of the Property affected by this Environmental Covenant is: 39.9366 N 75.2132 W.

The Property has been known by the following name: Former M. A. Bruder & Sons, Incorporated.

PADEP EFACTS PF # 618954 pertains to the Property.

A complete description of the Property is attached to this Environmental Covenant as Exhibit A. A Site Location Map (based on the USGS 7.5-minute quadrangle) and a Facility Layout drawing are attached to this Environmental Covenant as Exhibit B. The Facility Layout drawing includes a depiction of the use restriction areas.

2. **Property Owner/Grantor/Grantee.** The Sherwin-Williams Company is the owner of the Property and the GRANTOR and GRANTEE of this Environmental Covenant.

3. **Mailing Address.** The mailing address of the owner is:

The Sherwin-Williams Company
101 West Prospect Avenue
Cleveland, OH 44115-1075
Attn: Kenneth H. Stroebel, PG

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Attn: Kenneth H. Stroebel, PG

4. **Description of Contamination & Remedy.** The Property has been characterized through the completion of a Phase I Environmental Site Assessment (ESA) in 2007; the completion of a Phase II ESA in 2007; and the completion of a Pennsylvania Land Recycling and Environmental Remediation Standards Act (commonly referred to as "Act 2") Remedial Investigation in 2010. The soil and groundwater samples collected as part of the site characterization activities were submitted for analysis of volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, and polychlorinated biphenyls (PCBs). Soil vapor and indoor air samples collected as part of the site characterization activities were submitted for analysis of select VOCs, based on the results of the soil sampling program.

A Final Report was submitted to the Department in July 2009, and was deemed to be administratively complete by the Department via a letter dated September 4, 2009. This Final Report was revised in November 2009, but was disapproved by the Department via a letter dated December 22, 2009. Following the completion of additional site characterization activities, a Final Report Addendum was submitted to the Department on August 16, 2010. The Department approved the Final Report/Final Report Addendum.

As part of the Remedial Investigation, a formal Non-Use Aquifer Determination was submitted to the Department on April 7, 2009. The Department reviewed the Non-Use Aquifer Determination, and following some response to comments, the agency concurred with KU Resources findings regarding the non-use aquifer status. The Department issued an approval letter on June 29, 2009 acknowledging that the Property meets the requirements in Section 250.303 (b) and (c) of the Act 2 regulations, allowing use of the non-use aquifer medium-specific concentrations (MSCs) under the Statewide Health Standard (SHS).

Sherwin-Williams has demonstrated attainment of the residential, non-use aquifer, SHS medium-specific concentrations (MSCs) with the exception of 1,3,5-Trimethylbenzene in surface soil at soil boring SB-6. This detection exceeds the residential non-use aquifer MSC but does not exceed the non-residential non-use aquifer MSC. This area of the Property has a current non-residential land use that is not expected to change.

In addition, the vapor intrusion screening values under a residential use scenario are exceeded for 1,2,4-Trimethylbenzene and naphthalene in soil at soil boring locations SB-6 and SB-14. There are no occupied (or potentially occupied) structures located within 100 feet of these locations.

Finally, the vapor intrusion screening values under the residential and non-residential use scenarios are exceeded for several VOCs in soil at soil boring location SB-008, which was installed during the December 2006 Phase II ESA. Soil vapor concentrations of several VOCs in the vicinity of this boring location also exceed vapor intrusion MSCs under the residential and non-residential use scenarios. However, indoor air quality sampling results from the main, basement, and sub-basement levels of the existing building demonstrated that potential vapor intrusion from the SB-008 location does not represent an unacceptable potential effect to human health for the existing building under a residential use scenario.

The remedy at the Property consists of implementation of a non-residential land use restriction at and within 100 feet of soil boring locations SB-6 and SB-14, and implementation of a groundwater use restriction across the Property. As an added precaution related to the constituent concentration detected in surface soil at SB-6 that exceeds the soil-to-groundwater MSC for a residential, non-use aquifer, and the constituent concentrations detected in surface and subsurface soil at SB-6 and SB-14 that exceed the vapor intrusion screening values for the protection of indoor air, a restrictive covenant will be placed on the western portion of the Property within 100 feet of the existing building, limiting that area to non-residential, non-occupied use (such as a parking lot). In addition, to address the soil vapor concentrations detected in the vicinity of Phase II ESA soil boring SB-008, a restrictive covenant will be placed on the Property to the west (outside) of the existing building in that area, limiting that area to non-residential, non-occupied use (such as a parking lot). Future residential (or non-residential) use is appropriate for the remainder of the Property.

The results of the Remedial Investigation for the various environmental media follow:

Soil

None of the soil samples collected exhibited concentrations of metals, VOCs, SVOCs, or PCBs in excess of any SHS direct contact or soil-to-groundwater MSCs, with the following exceptions:

- Naphthalene (160 mg/kg) in the SB-6 surface soil sample (0- to 2-foot depth interval). This concentration is above the Act 2 residential and non-residential soil-to-groundwater SHS MSC for used aquifers (each has a MSC of 25 mg/kg), but does not exceed the residential or non-residential SHS MSC for non-use aquifers, or the direct contact MSCs. Naphthalene was not detected in the deeper sample collected from SB-6 (8- to 10-foot depth interval).
- 1,2,4-Trimethylbenzene (45 mg/kg) in the SB-6 surface soil sample (0- to 2-foot depth interval). This concentration is above the Act 2 residential and non-residential soil-to-groundwater SHS MSC for used aquifers (MSCs of 9 and 20 mg/kg, respectively), but does not exceed the residential or non-residential soil-to-groundwater SHS MSCs for non-use aquifers, or the direct contact MSCs. 1,2,4-Trimethylbenzene was detected at a low concentration (0.048 mg/kg) in the deeper sample collected from SB-6 (8- to 10-foot depth interval); this concentration is below all SHS MSCs.
- 1,2,4-Trimethylbenzene (48 mg/kg) in the SB-14 subsurface soil sample (6- to 8-foot depth interval). This concentration is above the Act 2 residential and non-residential soil-to-groundwater SHS MSC for used aquifers (MSCs of 9 and 20 mg/kg, respectively), but does not exceed the residential or non-residential soil-to-groundwater SHS MSCs for non-use aquifers, or the direct contact MSCs. 1,2,4-Trimethylbenzene is potentially associated with the former paint production operations at the Site.
- 1,3,5-Trimethylbenzene (4.5 mg/kg) in the SB-6 surface soil sample (0- to 2-foot depth interval). This concentration is above the Act 2 residential soil-to-groundwater SHS MSC for used and non-use aquifers (each has a MSC of 2.8 mg/kg), but does not exceed the non-residential soil-to-groundwater SHS MSCs for used or non-use aquifers, or the direct contact MSCs. 1,3,5-Trimethylbenzene was not detected in the deeper sample collected from SB-6 (8- to 10-foot depth interval).
- Methylene chloride (1.3 mg/kg) in surface soil at SB-14. This concentration is slightly above the SHS residential and non-residential soil-to-groundwater MSC for used aquifers (0.5 mg/kg for both scenarios), but is significantly below the soil-to-groundwater MSC for non-use aquifers (50 mg/kg), the residential direct contact MSC (680 mg/kg), and the non-residential direct contact MSC (3,500 mg/kg).
- Iron in subsurface soils at SB-4, 8- to 10-foot depth interval, (100,000 mg/kg) and SB-9, 6- to 8-foot depth interval (67,000 mg/kg). These constituent concentrations exceeded the residential direct contact MSC, but are not associated with a chemical release to the environment from facility operations and are likely the result of naturally-occurring iron in the weathered schist underlying the Site.

The naphthalene and 1,2,4-trimethylbenzene concentrations in surface soil at soil boring SB-6, and the 1,2,4-trimethylbenzene concentration in subsurface soil at soil boring SB-14 exceed the Act 2 soil vapor intrusion screening values under a residential use scenario. In addition, the 1,2,4-trimethylbenzene concentrations in SB-6 (shallow sample) and SB-14 (deep sample) exceeded the non-residential soil vapor intrusion screening value. However, these two soil boring locations are not currently within 100 feet of an occupied (or potentially occupied) building, and therefore drop out of the vapor intrusion screening process.

The concentrations of ethylbenzene; naphthalene, 1,2,4-Trimethylbenzene; 1,3,5-Trimethylbenzene; m&p-Xylene; and o-Xylene in surface and subsurface soil at the December 2008 Phase II ESA soil boring SB-008 exceed the Act 2 soil vapor intrusion screening values under the residential and non-residential use scenarios. This location is within 100 feet of the current site building, which warranted additional site characterization activities to complete the potential vapor intrusion evaluation.

Soil Vapor and Indoor Air Quality

Soil vapor sampling in the vicinity of the Phase II ESA soil boring SB-008 indicated that the concentrations of ethylbenzene; naphthalene; 1,2,4-Trimethylbenzene; 1,3,5-Trimethylbenzene; and total xylenes exceed the Pennsylvania Act 2 MSCs under the residential and non-residential use scenarios. As a result, indoor air quality (IAQ) sampling was performed in the main, basement, and sub-basement levels of the existing site building to provide a direct evaluation of the vapor intrusion potential. The IAQ results indicated that there are no potentially adverse vapor intrusion effects under a residential use scenario in the current site building.

Groundwater

Groundwater quality was evaluated through the installation of monitoring wells and two rounds of groundwater sampling. The groundwater at and downgradient of the Property is not used as determined by the Department in a letter dated June 29, 2009 and is not anticipated to be used in the future.

Groundwater quality results were compared with the range of SHS MSCs (residential and non-residential exposure scenarios, and used and non-use aquifer scenarios) for data screening and evaluation purposes. None of the groundwater samples collected exhibited concentrations of VOCs, SVOCs, or PCBs in excess of the SHS MSCs, with the exception of MW-3 (installed at the SB-6 location) in both sampling rounds.

The groundwater samples collected from MW-3 during the first and second groundwater sampling events exhibited naphthalene concentrations (990 µg/L and 160 µg/L) above the residential and non-residential, used aquifer MSCs of 100 µg/L. However, the concentrations of naphthalene were well below the non-use aquifer MSC (30,000 µg/L). The groundwater samples collected from MW-3 during the first and second groundwater sampling events also exhibited 1,2,4-Trimethylbenzene concentrations (27 and 82 µg/L) above the residential and non-residential used aquifer MSCs of 16 and 35 µg/L, respectively. However the concentrations of 1,2,4-Trimethylbenzene were well below the non-use aquifer MSCs of 1600 and 3500 µg/L, respectively.

No dissolved metals were detected at concentrations above the MSCs in any of the groundwater samples. However, dissolved iron and manganese concentrations exceeded their respective secondary maximum contaminant levels. These constituent concentrations are not associated with a chemical release to the environment from facility operations and are likely the result of naturally occurring conditions at the Property.

None of the groundwater concentrations exceeded the residential or non-residential vapor intrusion screening values.

Conceptual Site Model

A Conceptual Site Model (CSM) was developed based on the results of the Remedial Investigation activities and the physical characteristics of the Property, and exposure pathways of interest were evaluated.

For groundwater, concentrations of naphthalene and 1,3,5-Trimethylbenzene exceeded SHS MSCs for used aquifers at monitoring well location MW-3; however, these concentrations did not exceed their respective MSCs for non-use aquifers. A Non-Use Aquifer Determination was made for the Property by the Department in a letter dated June 29, 2009. As a result, the SHS MSCs for groundwater are met at the Property.

Based on the screening evaluations for the detected constituents in soil, the soil-to-groundwater pathway (1,3,5-Trimethylbenzene at SB-6) and the volatilization to indoor air pathway (naphthalene and 1,2,4-Trimethylbenzene at SB-6) are considered to be potentially complete at the Property under a future residential use scenario. However, the SHS MSCs are met based upon the current land use at the Property and additionally through the restriction of future Property use to non-residential and non-occupied at and within 100 feet of the SB-6 location, which is adjacent to the former AST tank farm located in the western portion of the Property.

In addition, based on the screening evaluations for the detected constituents, the volatilization to indoor air pathway is considered to be potentially complete at the Property under a future residential and non-residential use scenario, should an occupied structure be built over that area of the Property. However, the SHS MSCs are met based upon the current land use at this area of the Property and the results of IAQ sampling inside the existing building. The SHS MSCs are additionally met through the restriction of future use to non-residential and non-occupied in this area of the Property.

The remainder of the Property meets the SHS MSCs under the residential (or non-residential) use scenario.

5. **Activity & Use Limitations.** The current and currently-planned future use of the Property incorporates the following activity and use limitations, which the then current owner of the Property, and its tenants, agents, employees and other persons under its control, shall abide by:

- Groundwater at the Property will not be used for potable water supply or agricultural purposes.
- The portion of the Property delineated on Exhibit B will be restricted from residential use, and will not be developed for occupied use.
- Each year, the conditions for which the NUA was obtained will be verified. Any changes will be reported to the Department immediately.

6. **Notice of Limitations in Future Conveyances.** Each instrument hereafter conveying any interest in the Property subject to this Environmental Covenant shall contain a notice of the activity and use limitations set forth in this Environmental Covenant and shall provide the recorded location of this Environmental Covenant.

7. **Compliance Reporting.** After written request by the Department, the then current owner of the Property shall submit, to the Department, written documentation stating whether or not the activity and use limitations in this Environmental Covenant are being abided by. In addition, within 1 month after any of the following events, the then current owner of the Property shall submit, to the Department, written documentation of: noncompliance with the activity and use limitations in this Environmental Covenant; transfer of the Property; changes in use of the Property; or filing of applications for building permits for the Property and any proposals for any site work, if the building or proposed site work will affect the contamination on the Property subject to this Environmental Covenant.

8. **Access by the Department.** In addition to any rights already possessed by the Department, this Environmental Covenant grants to the Department a right of reasonable access of the Property in connection with implementation or enforcement of this Environmental Covenant.

9. **Recording & Proof & Notification.** Within 30 days after the date of the Department's approval of this Environmental Covenant, the Grantor shall file this Environmental Covenant with the county, city, and or municipality as appropriate, and send a file-stamped copy of this Environmental Covenant to the Department within 60 days of recording.

10. **Termination or Modification.** This environmental covenant is perpetual and may only be terminated, amended or modified in accordance with Section 9 of UECA, 27 Pa. C.S. § 6509 or Section 10 of UECA, 27 Pa. C.S. § 6510. The Department must approve, in writing, any termination, amendment or modification.

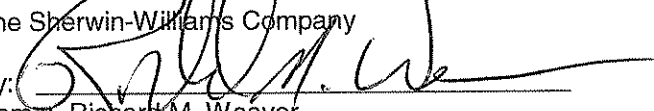
The following language provides an option for not requiring the Grantor's consent:

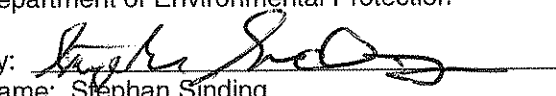
In accordance with Section 10 of UECA, 27 Pa. C.S. § 6510(a)(3)(i), Grantor hereby waives the right to consent to any amendment or termination of the Environmental Covenant by consent; it being intended that any amendment to or termination of this Environmental Covenant by consent in accordance with this Paragraph requires only the following signatures on the instrument amending or terminating this Environmental Covenant: (i) the Holder at the time of such amendment or termination; (ii) the then current owner of the Property; and (iii) the Department.]

11. **Department's address.** Communications with the Department regarding this Environmental Covenant shall be sent to:

ECP Manager
Southeast Regional Office
Pennsylvania Department of Environmental Protection
2 East Main Street
Norristown, PA 19401-4915

ACKNOWLEDGMENTS by Owner(s) and any Holder(s), in the following form:

The Sherwin-Williams Company
Date: By: 
Name: Richard M. Weaver
Title: Vice President – Administration

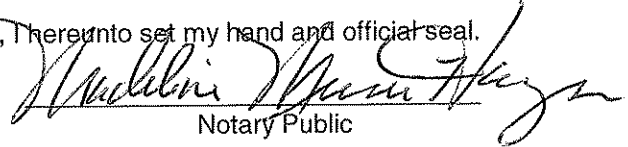
APPROVED by Commonwealth of Pennsylvania,
Department of Environmental Protection
Date: 12-6-10 By: 
Name: Stephan Sinding
Title: ECP Manager

STATE OF OHIO)
)
COUNTY OF CUYAHOGA) SS:

On this 15th day of November, 2010, before me, the undersigned officer, personally appeared Richard M. Weaver who acknowledged himself to be the person whose name is subscribed to this Environmental Covenant, and acknowledged that he executed same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

MADLINE MUSER HAYES, Attorney
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date.
Section 147.03 R.C.


Notary Public

COMMONWEALTH OF PENNSYLVANIA) [other state, if executed outside PA]
)
COUNTY OF _____) SS:

On this ___ day of _____, 20___, before me, the undersigned officer, personally appeared _____ [Holder, Grantee] who acknowledged himself/herself to be the person whose name is subscribed to this Environmental Covenant, and acknowledged that s/he executed same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF _____) SS:

On this ___ day of _____, 2010, before me, the undersigned officer, personally appeared _____, who acknowledged himself/herself to be the _____ [Title] of the Commonwealth of Pennsylvania, Department of Environmental Protection, Southeastern Regional Office, whose name is subscribed to this Environmental Covenant, and acknowledged that s/he executed same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

Property Owner: The Sherwin-Williams Company
Property Address: 5213 Grays Avenue
City of Philadelphia
Philadelphia County

APPROVED, by Commonwealth of Pennsylvania,
Department of Environmental Protection

By: Judy Lashley Date: 12-6-10

Name: Stephan Sinding

Title: Environmental Cleanup Program Manager
PADEP - SERO

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF PHILADELPHIA

On this 6th day of December, 2010, before me, the undersigned officer,
personally appeared Stephan Sinding who acknowledged himself to be the Manager of
the Environmental Cleanup Program of the Commonwealth of Pennsylvania, Department
of Environmental Protection, Southeast Regional Office, whose name is subscribed to
this Environmental Covenant, and acknowledged that he executed same for the purposes
therein contained.

In witness whereof, I hereunto set my hand and official seal.

Judy Lashley
Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Judy Lashley, Notary Public
Norristown Boro, Montgomery County
My Commission Expires July 28, 2012
Member, Pennsylvania Association of Notaries

EXHIBIT "A"

PREMISES "A"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected. **BEGINNING** at a stone in the center line of 52nd Street (on City Plan 80 feet wide, but not opened) at the intersection of the Northwest side of Grays Avenue (80 feet wide), in the 51st Ward of the City of Philadelphia; thence extending along the center line of 52nd Street North 40 degrees, 32 minutes, 30 seconds West 135 feet to a stone at the boundary of the Right of Way of the Philadelphia, Baltimore and Washington Railroad; thence along the line of said Railroad South 49 degrees, 27 minutes, 30 seconds West 183 feet, 7 ½ inches to a stone; thence still along the line of the said Railroad North 40 degrees, 32 minutes, 30 seconds West 14 feet to a stone; thence still along the line of the said Railroad South 49 degrees, 27 minutes, 30 seconds West 53 feet, 1 ¼ inches to a stone; thence still along the line of the said Railroad South 1 degrees, 13 minutes, 16 seconds East 14 feet, 3 inches to a stone; thence still along the line of the said Railroad South 49 degrees, 27 minutes, 30 seconds West parallel with Grays Avenue 19 feet, 6 ½ inches to a point; thence extending Southeastwardly on a line at right angles to Grays Avenue and along land late of Gibson South 40 degrees, 32 minutes, 30 seconds East 135 feet to a point on the Northwesterly side of Grays Avenue; thence along same North 49 degrees, 27 minutes, 30 seconds East 253 feet, 7 ½ inches to a stone in the center line of 52nd Street (80 feet wide but not opened) at the intersection of the Northwest side of Grays Avenue (80 feet wide) the place of beginning.

PREMISES "B"

ALL THAT CERTAIN lot or piece of ground. **SITUATE** in the 51st Ward of the City of Philadelphia, and described as follows, to wit: - **BEGINNING** at a point formed by the intersection of the Northwest side of Grays Avenue (80 feet wide), and the middle line of 53rd Street (70 feet wide); thence extending along the Northwest side of Grays Avenue North 49 degrees, 27 minutes, 30 seconds East 266 feet 4 ½ inches; thence Northwestwardly on a line at right angles to said Grays Avenue, 135 feet to a point in line of land of the Philadelphia, Wilmington and Baltimore Railroad; thence extending along the land of the Philadelphia, Wilmington and Baltimore Railroad Southwestwardly on a line parallel with said Grays Avenue 266 feet 4 ½ inches to a point in the middle line of 53rd Street, aforesaid; and thence along the middle line of said 53rd Street, South 40 degrees, 32 minutes, 30 seconds East 135 feet to the place of beginning.

PREMISES "C"

ALL THAT CERTAIN parcel of land. **SITUATE** in the 51st Ward of the City of Philadelphia, and Commonwealth of Pennsylvania, bounded and described according to a Plan based upon a plan of survey made by Dayton F. Stout, Surveyor and Regulator of the 7th District, dated 6-28-1957, as follows, viz: - **BEGINNING** at a point where the Northwesterly line of land of M.A. Bruder & Sons, Incorporated meets the Northeasterly line of 53rd Street, 70 feet wide, not legally open, at the distance of 135 feet measured North 40 degrees, 32 minutes, 30 seconds West along said Northeasterly line of 53rd Street, not legally open, from the Northwesterly line of Grays Avenue 80 feet wide; extending from said beginning point the following twelve courses and distances: (1) North 40 degrees, 32 minutes, 30 seconds West along said Northeasterly line of 53rd Street, not legally open, the distance of 45 feet; the following four courses and distances being by remaining land of the Philadelphia, Baltimore and Washington Railroad Company; (2) North 49 degrees, 27 minutes, 30 seconds East 242 feet 5 1/8 inches; (3) North 51 degrees, 13 minutes, 16 seconds West 5 feet 1 inch; (4) North 49 degrees, 27 minutes 30 seconds East 363 feet 4 ¼ inches; (5) South 40 degrees, 32 minutes, 30 seconds East 3 feet 7 ¼ inches to a Northwesterly line of land of said M.A. Bruder & Sons, Incorporated; the following seven courses and distances being by said last mentioned land; (6) South 49 degrees, 27 minutes, 30 seconds West 119 feet 10 inches; (7) South 40 degrees, 32 minutes, 30 seconds East 46 feet 4 ¼ inches; (8) South 49 degrees, 27 minutes, 30 seconds West 183 feet 7 ½ inches; (9) North 40 degrees, 32 minutes, 30 seconds West 14 feet; (10) South 49 degrees, 27 minutes, 30 seconds West, 53 feet 1 ¼ inches; (11) South 51 degrees, 13 minutes, 16 seconds East 14 feet 3 inches; and (12) South 49 degrees, 27 minutes, 30 seconds West 250 feet 11 inches to the place of beginning.

EXHIBIT "A" cont'd.

PREMISES "D"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected **SITUATE** in the Fifty-first Ward of the City of Philadelphia, and described according to a Survey and Plan thereof made by Dayton F. Stout, Esquire, Surveyor and Regulator of the Seventh District dated November 25, 1952 and amended April 7, 1953, as follows, to wit:

BEGINNING at a point formed by the intersection of the Northeasterly side of Fifty-second Street (eighty feet wide) with the Northwesterly side of Grays Avenue (eighty feet wide); thence extending South fifty-nine * degrees, twenty-seven minutes, thirty seconds West along the extension of the Northwesterly side of Grays Avenue forty feet to a point in the bed of Fifty-second Street aforesaid; thence extending North forty degrees, thirty-two minutes, thirty seconds West through the bed of and partly along the center line of Fifty-second Street one hundred eighty-one and four-tenths feet to a point on the Southeasterly right of way of Philadelphia-Baltimore and Washington Railroad; thence extending North forty-nine degrees, twenty-seven minutes, thirty seconds East along the said right of way line partly crossing the bed of Fifty-second Street one hundred nineteen feet ten inches to a point; thence extending South forty degrees, thirty-two minutes, thirty seconds East partly through a wall one hundred eighty-one and four-tenths feet to a point on the Northwesterly side of Grays Avenue aforesaid; thence extending South forty-nine degrees, twenty-seven minutes, thirty seconds West along the said side of Grays Avenue seventy-nine feet ten inches to the first mentioned point and place of beginning.

As to premises A, B and C

BEING the same premises which Philadelphia Authority for Industrial Development, by Deed dated 01/12/1993 and recorded 01/26/1993 in the City of Philadelphia in Deed Book VCS 232 page 455, granted and conveyed unto M. A. Bruder & Sons, Incorporated, a Pennsylvania corporation, its successors and assigns, in fee.

As to premises D

BEING the same premises which McNichol Paving and Construction Company, by Deed dated 04/23/1953 and recorded 04/27/1953 in the City of Philadelphia in Deed Book MLS 377 page 462, granted and conveyed unto M. A. Bruder & Sons, Incorporated, a Pennsylvania corporation, its successors and assigns, in fee.

* Survey says Forty-nine

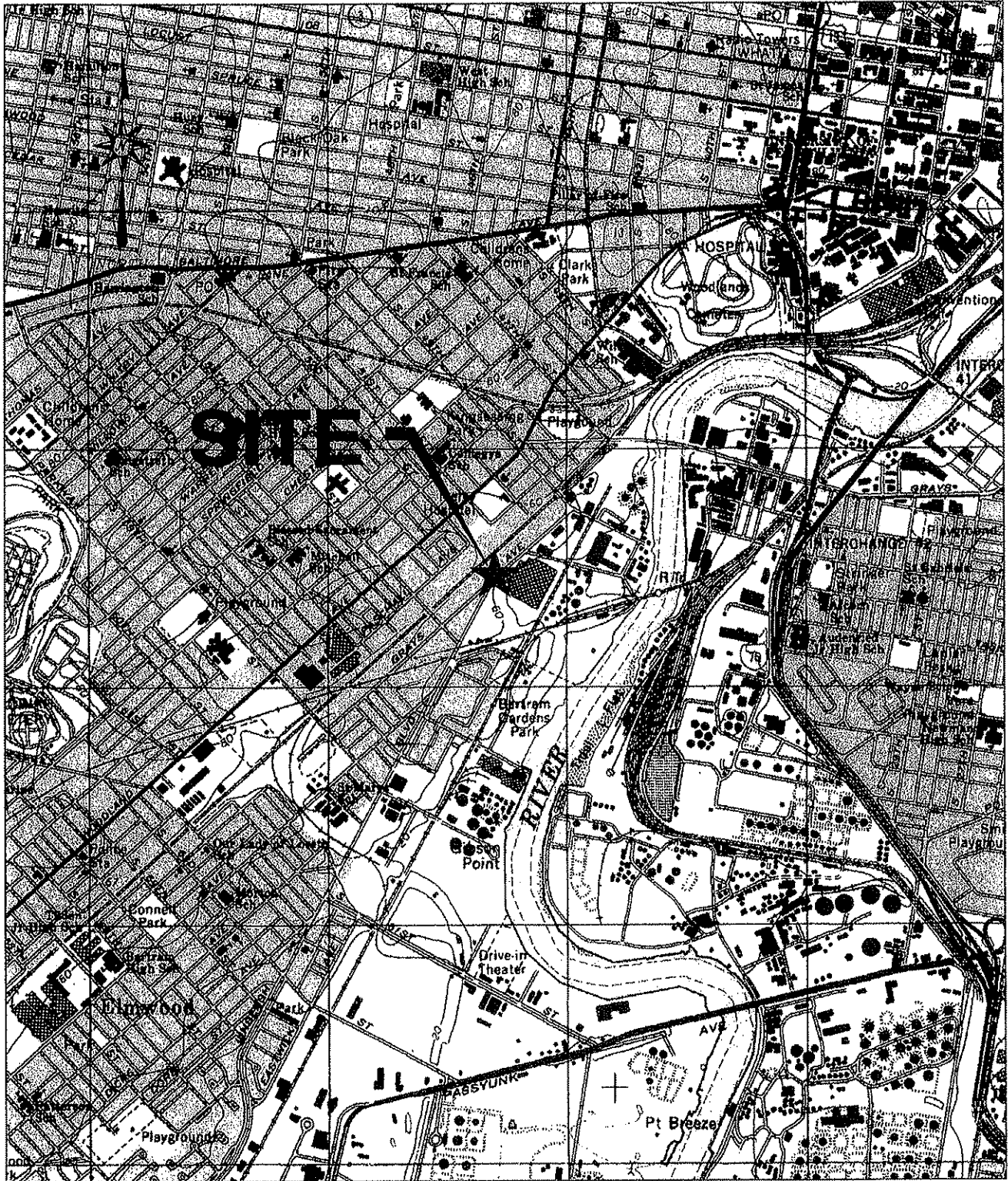
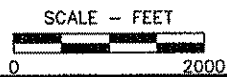


EXHIBIT "B"

REFERENCE:
USGS 7.5-MIN TOPOGRAPHIC
QUADRANGLE PHILADELPHIA,
PENNSYLVANIA-NEW JERSEY, DATED
1965, REVISED 1999.



SITE LOCATION MAP
FORMER M.A. BRUDER & SONS, INC FACILITY
PHILADELPHIA, PENNSYLVANIA

REVISION	DATE	DESCRIPTION
APPROVED	--	
CHECKED	--	
DRAWN	RAM 08/12/2008	
CAD FILE NO.	0B141A001	
PROJECT NO.	SWC.08141MAB.P	



KU RESOURCES, INC.
22 SOUTH LINDEN STREET
DUQUESNE, PA 15110
(412) 469-9331
FAX: (412) 469-9336
www.kuresources.com

PREPARED FOR
THE SHERWIN-WILLIAMS COMPANY
CLEVELAND, OHIO

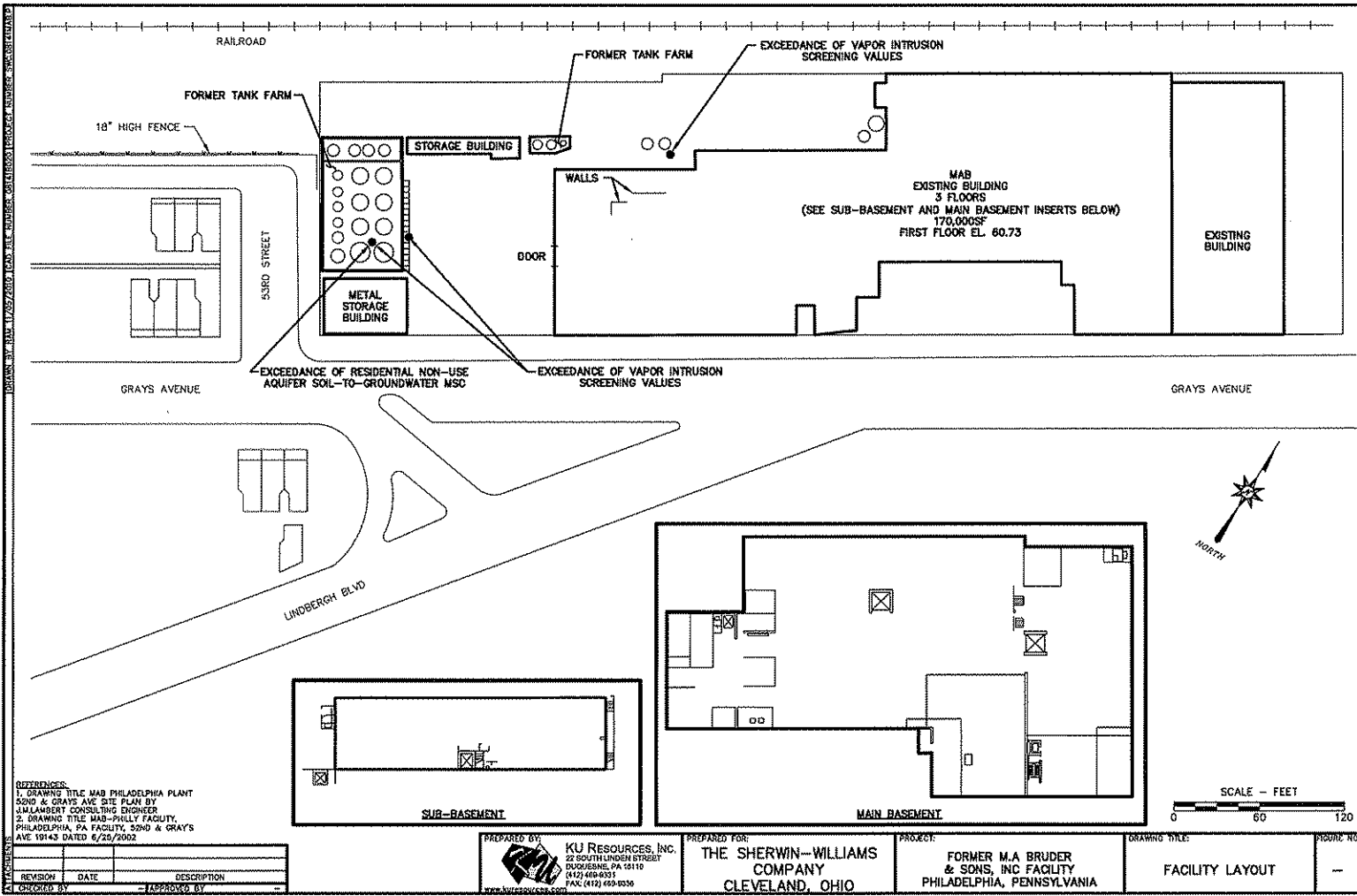


EXHIBIT "B" cont'd

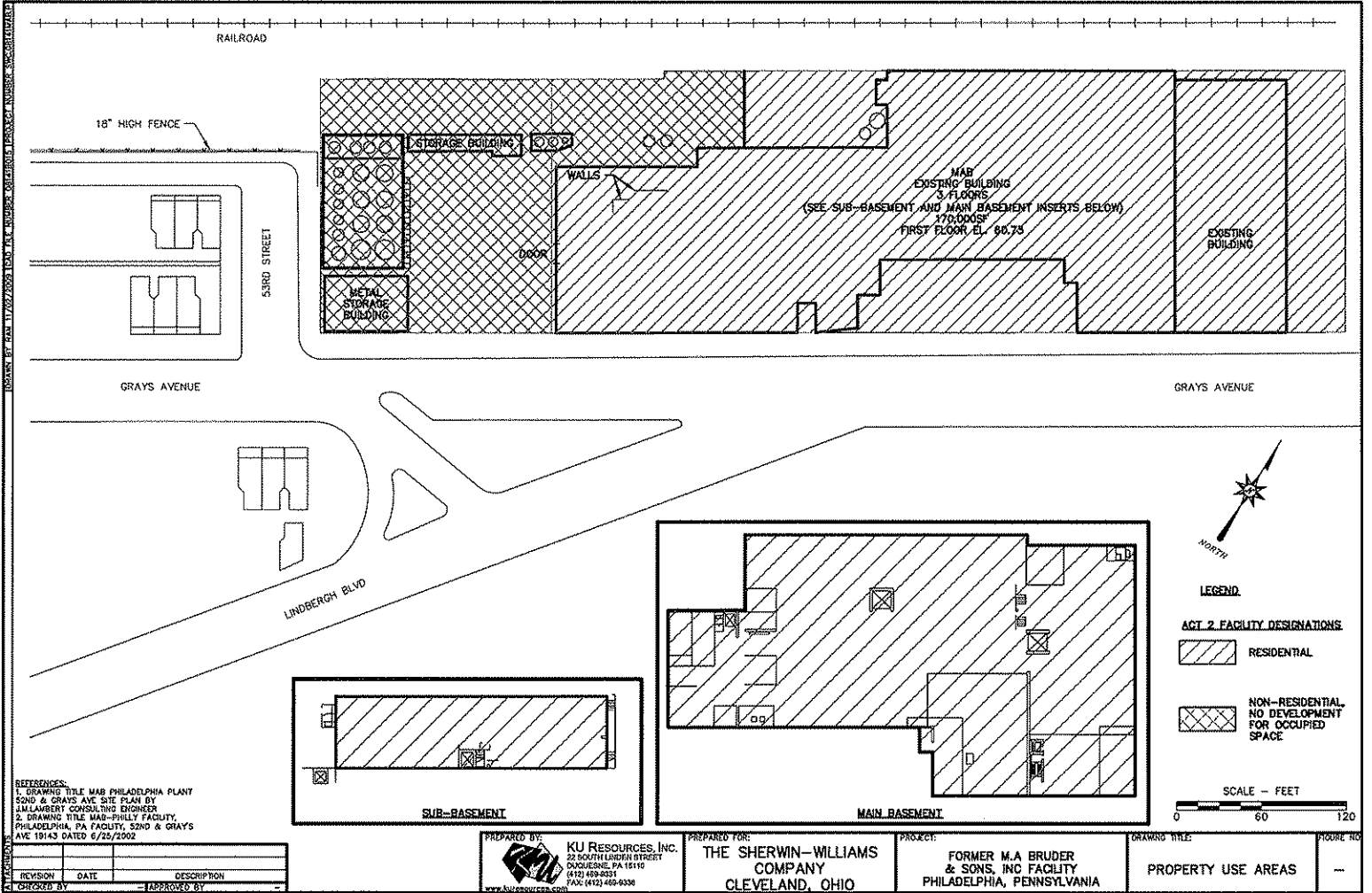


EXHIBIT 'B' cont'd