

ENVIRONMENTAL COVENANT

This is an environmental covenant executed pursuant to the Uniform Environmental Covenants Act, West Virginia Code Chapter 22, Article 22B, to restrict the activities on, and uses of, the following described property:

The portion of the West Virginia Department of Transportation parcel in South Charleston, West Virginia as set forth in the legal description in Appendix A. A map of the property is contained in Appendix B.

The current Owner of the property is:

West Virginia Department of Transportation
Division of Highways
1900 Kanawha Blvd., East
Building 5, Room 110
Charleston, WV 25305

DEED 2809 884
Recorded In Above Book and Page
01/20/2012 01:11:27 PM
Vera J. McCormick
County Clerk
Kanawha County, WV
Deed Tax 0.00
Recording Fee 30.00
TOTAL 30.00

Activities on and uses of the above described property that may result in excessive human exposure or in the release of a contaminant that was contained as part of the remedial action related to this covenant are prohibited. Those activities and uses include, but are not limited to:

- A. **Groundwater Use**—The Owner shall not permit the use of groundwater from the property for any purpose other than for purposes of monitoring or remediation by Union Carbide Corporation (UCC) as approved by the Owner and the U.S. Environmental Protection Agency (USEPA) and/or the West Virginia Department of Environmental Protection (WVDEP). In the event that groundwater contaminated by the UCC Technology Park must be extracted from the property, either for highway purposes or for remediation, UCC shall be solely responsible for any additional costs incurred due to the environmental impacts associated with such removal and/or remediation, but only to the extent, if any, that such environmental impacts are due to conditions caused in whole or in part by UCC.
- B. **Monitoring Well Protection/ Access** —The Owner shall not remove any monitoring wells located on the property except as approved by USEPA or WVDEP. The Owner shall make every effort to avoid disturbing or damaging any monitoring wells located on its property. In the event of damage of a monitoring well by the Owner, the Owner shall notify UCC, US EPA and WVDEP, and UCC shall repair, replace or remove the affected monitoring well in accord with directives from US EPA and/or WVDEP. The Owner shall bear no responsibility for any damage to the monitoring wells, as long as the damage was either inadvertent or deemed necessary for highway purposes as determined by the Commissioner of Highways. If it is determined by the Owner that any monitoring wells must be abandoned for highway purposes, the Owner will obtain approval from US EPA and/or WVDEP and notify UCC so the monitoring wells can be properly abandoned by UCC in accordance with Title 47-Series 60 of the West Virginia Code of State Rules (CSR) or other applicable laws

and regulations in effect at the time of the well abandonment. If the use of any monitoring well on the property is discontinued by UCC, the well shall be properly abandoned by UCC in accordance with requirements described above. UCC is provided access to the property by the Owner to conduct groundwater monitoring from the wells, and for any necessary well maintenance, repair, replacement or abandonment and to comply with the provisions of this covenant.

- C. Any person, including a person that owns an interest in the real property, the state or federal agency determining or approving the environmental response project pursuant to which an environmental covenant is created, or a municipality or other unit of local government may be a holder of an environmental covenant. The following are all of the holders of this covenant:

West Virginia Department of Transportation
Division of Highways
1900 Kanawha Blvd., East
Building 5, Room 110
Charleston, WV 25305

The facts regarding the remediation response project at this property are:

Union Carbide Corporation (UCC), A Wholly Owned Subsidiary of The Dow Chemical Company, is the current or previous Owner of the parcels that make up the "site", comprising approximately 574 acres adjacent to the subject property in the city of South Charleston, West Virginia. Appendix C contains a legal description of the site, and Appendix D contains a site map. USEPA issued the UCC site a Resource Conservation and Recovery Act (RCRA) corrective action permit on September 23, 1985.

As a result of an RCRA facility investigation (RFI), it was determined that shallow groundwater in Ward Hollow is impacted by a number of constituents that are related to closed landfills and former brine wells at the site. The most prominent constituents in groundwater in Ward Hollow are 1,4-dioxane; benzene; bis(2-chloroisopropyl)ether; arsenic; and barium. Other constituents above USEPA regional screening levels are bromomethane; chlorobenzene; bis(2-ethylhexyl)phthalate; lead; and naphthalene. These impacts have resulted in the Ward Hollow groundwater plume, which extends approximately 300 feet offsite from the UCC site and extends onto the subject property. Constituents above USEPA regional screening levels in groundwater on the subject property are 1,4-dioxane; benzene; bis(2-chloroisopropyl)ether; bis(2-ethylhexyl)phthalate; arsenic; barium; and lead.

USEPA issued a Final Decision on December 15, 2010 identifying the approved corrective actions for the site and the Ward Hollow groundwater plume. The corrective action for the Ward Hollow groundwater plume requires recording an Environmental Covenant prohibiting the use of groundwater in areas where constituent concentrations exceed criteria. A portion the affected area extends

onto the subject property currently owned by the West Virginia Department of Transportation, Division of Highways.

WVDEP issued a Corrective Action Permit (USEPA ID Number WVD060682291) to UCC for the site. The permit contains provisions requiring corrective action that fulfill the requirements for the approved corrective actions defined in the Final Decision issued by USEPA. These provisions will be contained in the Corrective Action Module of the permit that WVDEP approved on February 10, 2009.

The Owner of the property shall provide written notice to UCC, the Secretary of the Department of Environmental Protection and U.S. EPA within 10 days following transfer of a specified interest in the property subject to this covenant, changes in use of the property, application for building permits regarding the property, or proposals for any site work affecting the contamination on the property.

In the event that the Commissioner of Highways authorizes any construction work on the property for highway purposes, and if such work might affect the UCC contamination on the property, the Owner shall notify UCC, which shall be responsible for any remediation to any groundwater contaminated by UCC, but only to the extent such contamination was caused in whole or in part by UCC, where remediation is required to complete such highway work, including the proper disposal of contaminated water and other materials, and UCC shall work with the Owner to ensure proper controls are in place to protect employees of the Owner who may be required to work on the property.

UCC or their designated representatives shall conduct inspections of the property to monitor compliance with this Environmental Covenant at least once per year, and shall submit two (2) signed copies of the inspection monitoring report to the WVDEP, DLR headquarters in Charleston, within thirty (30) days of the inspection.

All restrictions and other requirements described in this covenant shall run with the land and shall be binding upon all holders and their grantees, lessees, authorized agents, employees, or persons acting under their direction or control.

This covenant shall not be amended, modified or terminated except by written instrument executed in accordance with W. Va. Code § 22-22B-10, by and between the Owner at the time of the proposed amendment, modification or termination, the Secretary of the West Virginia Department of Environmental Protection, the U.S. EPA and UCC. Within 5 days of executing an amendment, modification or termination of this Environmental Covenant, the Owner shall record such amendment, modification or termination with the Clerk of the County Commission, and within 5 days thereafter, the Owner shall provide a true copy of the recorded amendment, modification or termination to the Secretary of the Department of Environmental Protection.

The administrative record for the environmental response project reflected in this covenant is maintained in the RCRA File Room at the West Virginia Department of Environmental Protection (WVDEP) Division of Water and Waste Management (DWWM) and is titled UCC Technology Park, South Charleston, WV ID# WVD060682291.

WVDEP
DWWM
601 57th Street
Charleston, WV, 25304

WVDEP is hereby granted full right of access to the property for the purpose of implementation or enforcement of this covenant.

UCC and WVDEP as parties to this covenant have the right to enforce the provisions of the covenant pursuant to W. Va. Code 22-22B-11

IN WITNESS WHEREOF, the following have executed this covenant on the dates indicated.

SIGNED:

Date:

Paul A. Mattox, Jr.

12/19/11

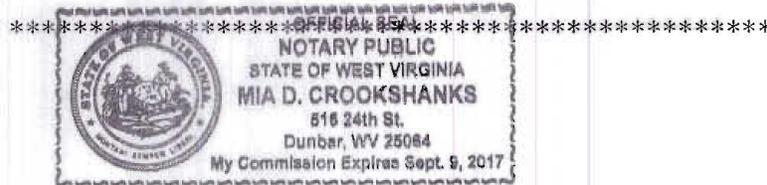
As the authorized representative of the,
West Virginia Department of Transportation,
Division of Highways

I, Mia D. Crookshanks, a Notary Public in and for the County of Kanawha, State of West Virginia do hereby certify that Paul A. Mattox, Jr. whose name is signed above, as the authorized representative of the West Virginia Department of Transportation, Division of Highways, signed above, this day executed this document in my presence or this day acknowledged same to be his/her (as appropriate) true act and deed.

Given under my hand this the 9th day of December, 2011.

Mia D. Crookshanks

Notary Public



APPROVED AS TO FORM THIS
6th DAY OF December 2011

[Signature]

ATTORNEY LEGAL DIVISION
WEST VIRGINIA DEPARTMENT
OF HIGHWAYS

SIGNED:

Date:

[Signature]

11/9/11

As authorized representative of
Union Carbide Corporation

I, Iris Jeanne Songer, a Notary Public in and for the County of Kenawha, State of West Virginia, do hereby certify that J.L. Guidarini whose name is signed above, as the authorized representative of Union Carbide Corporation this day executed this document in my presence or this day acknowledged same to be his/ her (as appropriate) true act and deed.

Given under my hand this the 9th day of November, 2011.

Iris Jeanne Songer

Notary Public



SIGNED:

Date:

Ken Ellison

11/14/11

As authorized representative of
West Virginia Department of Environmental Protection

I, Jessica A. Henson, a Notary Public in and for the County of Kanawha, State of West Virginia, do hereby certify that Ken Ellison whose name is signed above, as the authorized representative of the West Virginia Department of Environmental Protection this day executed this document in my presence or this day acknowledged same to be his/ her (as appropriate) true act and deed.

Given under my hand this the 14th day of November, 2011.

Jessica A. Henson

Notary Public



Appendix A
Legal Description of Property

DESCRIPTION OF
WV DOT PROPERTY
OFF-SITE GOUNDWATER USE
RESTRICTION AREA
LOCATED IN THE CITY OF SOUTH CHARLESTON,
KANAWHA COUNTY, WEST VIRGINIA

PARCEL NO. 1:

BEGINNING at an old concrete monument in the southerly controlled access right-of-way line of Interstate No. 64 Project I-64-2(13) 53 and being a common corner to the tract of land presently owned by Union Carbide Corporation being described in Deed Book 756, at page 10, thence running from said beginning point with the controlled access right-of-way line of Interstate No. 64, and running thence from said beginning point with the westerly controlled access right-of-way line of Interstate No. 64,

1. N. 67°58'09" W., 8.22 feet to a point; thence
2. N. 67°55'00" W., 91.54 feet to a point;
3. N. 59°19'00" W., 14.34 feet to a point; thence running across Interstate No. 64,
4. N. 63°27'52" E., 447.05 feet to a point in the easterly controlled access right-of-way line of Interstate No. 64 and being a corner to the former FMC Corporation property; thence running with northerly controlled access right-of-way line of Interstate No. 64,
5. N. 63°27'51" E., 218.78 feet to a point; thence leaving controlled access right-of-way line of Interstate No. 64 and running,
6. S. 09°21'46" W., 150.03 feet to a point; thence
7. S. 62°05'37" E., 115.03 feet to a point; thence
8. S. 01°44'30" E., 89.75 feet to a point in the north right-of-way line of CSX Railroad; thence running with the northerly line of CSX Railroad,
9. S. 63°19'33" W., 223.61 feet to a point; thence
10. N. 77°45'24" W., 30.35 feet to a point; thence
11. S. 77°10'28" W., 91.93 feet to a point; thence
12. N. 89°09'15" W., 97.92 feet to a point; thence
13. N. 67°58'09" W., 166.22 feet to the point of beginning, containing 140,871.57 square feet or 3.23 acres, more or less.

PARCEL NO. 2:

BEGINNING at a point in the southerly non- controlled access of Interstate No. 64 – Kanawha Turnpike (East Bound) in the common line to the 27.927 acre tract of land owned by Marshall University Foundation, Inc. described in Deed Book 2715, at page 290, and running thence with the southerly non-controlled access right-of-way line,

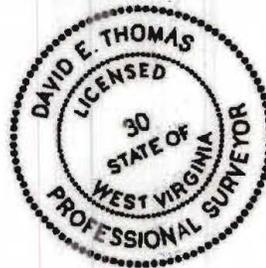
1. S. 63°20'00" W., 358.20 feet to a point; thence
2. S. 75°44'00" W., 124.74 feet to a West Virginia Department of Highways concrete right-of-way monument; thence
3. S. 73°23'56" W., across Angus Peyton Drive, 227.96 feet to a West Department of Highways concrete right-of-way monument; thence
4. S. 86°23'00" W., 306.28 feet to a point (formerly a concrete right-of-way monument); thence
5. S. 79°18'01" W., 205.17 feet to a concrete right-of-way monument; thence
6. N. 85°40'00" W., 243.55 feet to a concrete right-of-way monument; thence
7. S. 77°31'00" W., 182.58 feet to a point; thence
8. N. 29°04'00" W., 29.96 feet to a point; thence
9. S. 59°41'00" W., 63.89 feet to a point; thence
10. S. 55°43'00" W., 50.95 feet to a point; thence
11. S. 57°39'00" W., 56.69 feet to a point at the southwest corner of Parcel No. 2 hereby described; thence running across Kanawha Turnpike,
12. N. 29°15'01" W., 145.49 feet to a point in the south right-of-way line of CSX Railroad; thence running with said railroad right-of-way line,
13. N. 62°55'04" E., 211.72 feet to a point; thence
14. N. 62°55'05" E., 117.87 feet to a point; thence
15. N. 27°06'00" W., 10.00 feet to a point; thence
16. N. 62°54'00" E., 180.00 feet to a point; thence
17. N. 59°59'36" E., 352.94 feet to a point; thence
18. N. 60°23'36" E., 101.54 feet to a point; thence
19. N. 63°06'21" E., 828.43 feet to a point at the northeast corner of Parcel No. 2 hereby described; thence running across railroad, Interstate No. 64 and Kanawha Turnpike,
20. S. 22°27'00" E., 627.89 feet to a the point of beginning, containing 765,487.57 square feet or 17.57 acres, more or less.

The basis for meridian of the description of Parcels Nos. 1 and 2 above is the original Deed Meridian of Union Carbide Corporation Tech Park Deed Meridian.

July 13, 2011



DAVID E. THOMAS
REGISTERED LAND SURVEYOR NO. 30
IN THE STATE OF WEST VIRGINIA

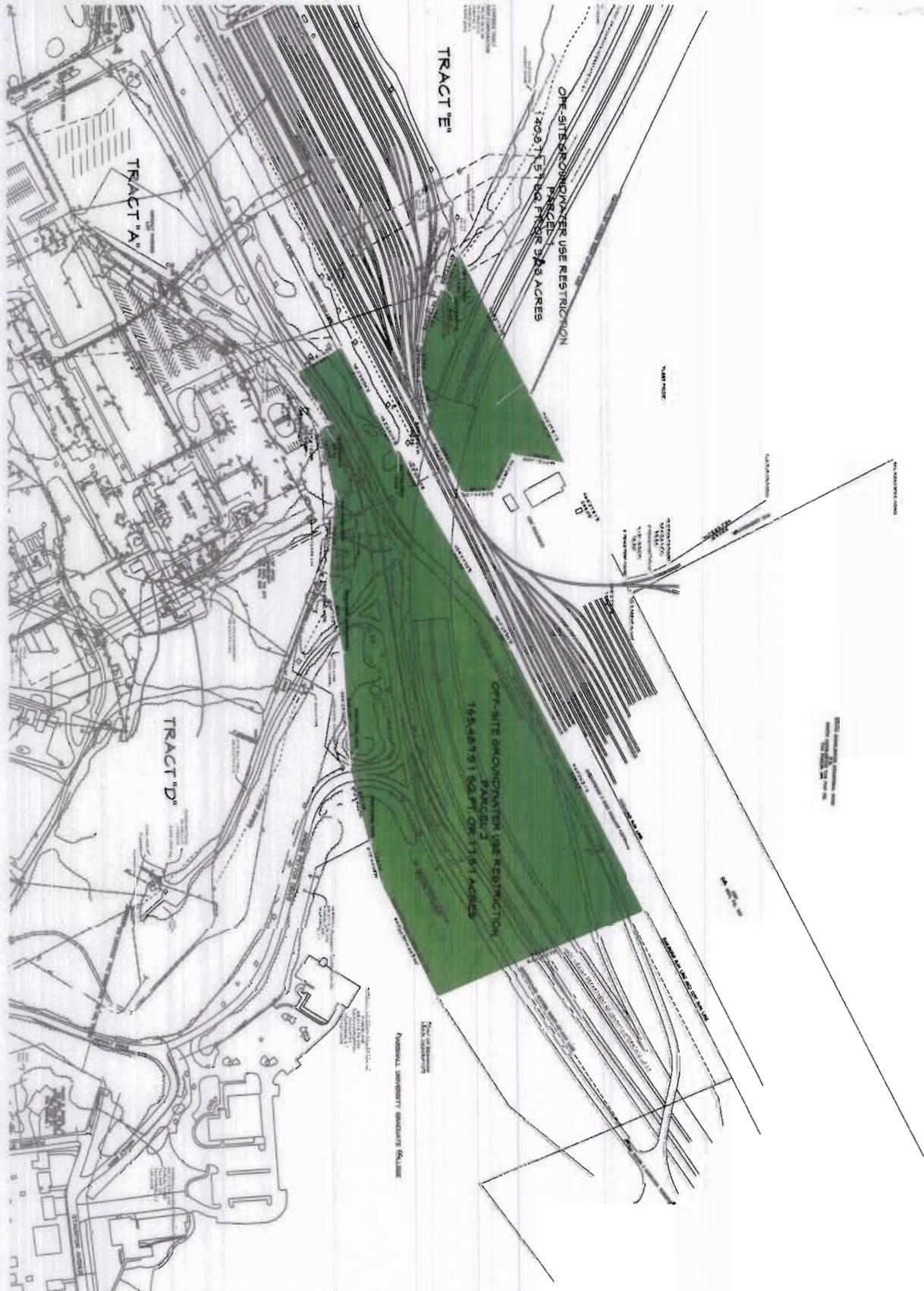


DEED 2809 893

Appendix B
Map of Property

2009
10/15/09

Vicinity Map



DAVID E. THOMAS
 SURVEYOR
 1000 W. 10TH ST. #200
 CHARLOTTE, NC 28202
 DATE: August 31, 2011

MAP SHOWING

NYDOT PROPERTY
 OFF-SITE GROUNDWATER USE
 RESTRICTION AREA

LOCATED IN
 THE CITY OF SOUTH CHARLESTON,
 KANAWHA COUNTY, WEST VIRGINIA
 PRESENTLY OWNED BY
 WEST VIRGINIA
 DEPARTMENT OF TRANSPORTATION

FIELD SURVEYING CO., INC.
 1000 W. 10TH ST. #200
 CHARLOTTE, NC 28202
 PHONE: (704) 344-0000
 FAX: (704) 344-0000
 EMAIL: INFO@FIELD-SURVEYING.COM

Appendix C
Legal Description of Site

COMPOSITE DESCRIPTION OF ORIGINAL
 OUTER BOUNDARY OF
 UNION CARBIDE CORPORATION
 "TECH PARK PROPERTY"
 LOCATED IN THE CITY OF SOUTH CHARLESTON,
 KANAWHA COUNTY, WEST VIRGINIA

BEGINNING at a concrete monument in the southerly right-of-way of Kanawha Turnpike and being the northwest corner of property hereby described, said point being a common corner to the parcel of land presently owned by Richard Oakes, Sr. described in Deed Book 2358. at page 427, and running thence from said beginning point with the southerly line of Kanawha Turnpike,

1. N. 72°58'00" E., 421.74 feet to a concrete monument on steep hillside at the original common corner to the 3.716 acre parcel and the 3.062 acre tract of land described in deed from Lucy H. Settle to Carbide and Carbon Chemical Corporation dated August 30, 1947 recorded in Deed Book 803, at page 413; thence
2. N. 24°23'00" E., 80.00 feet to a point; thence
3. N. 67°37'00" E., 182.70 feet to a point; thence
4. N. 72°32'00" E., 228.34 feet to a point; thence
5. N. 67°42'00" E., 114.95 feet to a point; thence
6. N. 67°42'00" E., 41.50 feet to a point; thence
7. N. 61°17'00" E., 283.83 feet to a point; thence
8. N. 65°24'00" E., 269.64 feet to a point; thence
9. N. 63°50'00" E., 157.03 feet to a point; thence
10. N. 57°39'00" E., 276.36 feet to a point; thence
11. N. 55°43'00" E., 50.95 feet to a point; thence
12. N. 59°41'00" E., 63.89 feet to a point; thence with offset in said line,
13. S. 29°04'00" E., 29.96 feet to a point; thence
14. N. 77°31'00" E., 104.08 feet to a point; thence
15. N. 77°31'00" E., 78.50 feet to a point; thence
16. S. 85°40'00" E., 243.55 feet to Department of Highways concrete monument (found); thence
17. N. 79°18'01" E., 205.17 feet to a Department of Highways concrete monument; thence
18. N. 86°23'00" E., 306.28 feet to a Department of Highways concrete monument (found); thence
19. N. 76°19'00" E., 16.84 feet to a point in the westerly line of Parcel Four described in deed to Marshall University Foundation, Inc. in Deed Book 2715, at page 290; thence leaving Kanawha Turnpike and running with twelve (12) common lines to said Marshall University Foundation, Inc. along the westerly side of Angus Peyton Drive,
20. S. 32°10'00" E., 69.26 feet to a point; thence
21. S. 36°00'00" E., 21.00 feet to a point; thence
22. S. 56°35'00" E., 40.00 feet to a point; thence
23. S. 37°33'00" E., 20.00 feet to a point; thence

24. S. 49°05'00" E., 82.00 feet to a point; thence
25. S. 86°15'00" E., 133.25 feet to a point; thence
26. S. 72°40'00" E., 60.00 feet to a point; thence
27. S. 71°18'00" E., 108.50 feet to a point; thence
28. S. 56°30'00" E., 160.00 feet to a point; thence
29. S. 51°15'00" E., 189.50 feet to a point; thence
30. S. 28°45'00" E., 31.00 feet to a point; thence
31. S. 18°05'00" E., 31.00 feet to a point; thence running across Angus Peyton Drive with the southerly line of Parcel Four owned by Marshall University Foundation, Inc.,
32. N. 77°02'51" E., 58.00 feet to a point at the common corner to Marshall University Foundation, Inc. Parcels One and Four; thence running with part of southerly line of Marshall University Foundation, Inc. Parcel One,
33. N. 77°02'51" E., 45.50 feet to a point at common corner to Marshall's Parcels One and Three; thence running with four common lines to Parcel Three of Marshall University,
34. S. 08°05'06" E., 45.01 feet to a point thence
35. S. 49°01'00" W., 67.80 feet to a point; thence
36. S. 12°29'00" W., 52.69 feet to a point; thence
37. S. 71°17'00" E., 109.96 feet to a point; thence leaving common corner to Marshall University and running,
38. S. 18°42'00" W., 60.00 feet to a point at the southwest terminus of Staunton Avenue at the common corner to the parcel of land owned by Frank E. Evans, Jr. being described in Deed Book 2307, at page 160; thence
39. S. 05°55'00" W., 206.60 feet to a point; thence
40. S. 45°00'00" W., 43.08 feet to an old concrete monument (found) at the northwest terminus of Ranch Road (formerly Woodland Drive) unimproved; thence with the westerly line of Ranch Road (formerly Woodland Drive) unimproved,
41. S. 24°06'33" E., 150.26 feet to a point; thence
42. S. 05°50'38" E., 328.39 feet to a point at the southwest corner of Ranch Road (formerly Woodland Drive) unimproved; thence running with the southerly line of Ranch Road (formerly Woodland Drive),
43. S. 82°15'00" E., 228.17 feet to a point; thence
44. N. 69°45'00" E., 207.52 feet to a point; thence
45. S. 76°28'00" E., 185.92 feet to a point; thence
46. N. 66°04'00" E., 129.699 feet to a point; thence
47. S. 57°07'00" E., 161.11 feet to a point; thence
48. S. 57°07'00" E., 231.65 feet to a point; thence
49. S. 78°03'00" E., 198.12 feet to a point; thence
50. S. 49°33'00" E., 266.76 feet to an old concrete monument (found); thence
51. S. 67°24'00" E., 258.38 feet to an old concrete monument with maple and red oak pointers (found) at the common corner to Lot "Q" of Rock Hill Park – Section Two presently owned by David I. Simpkins being described in Deed Book 2511, at page 337; thence running with a common line to Lot "Q",

52. S. 28°58'00" W., 195.70 feet to an old concrete monument with chestnut oak and black oak pointers(found); thence with common line to Lots M, N, O, P, Q, and R of Rock Hill Park – Section Two,
53. S. 61°10'00" E., 672.74 feet to an old concrete monument with white oak and hickory pointers (found) at the southeast corner of Lot "R" and being the southwest terminus of a 40 foot unimproved right-of-way; thence running across the southerly terminus of said 40 foot unimproved right-of-way and being an original outer boundary line of the 367.334 acre tract (net),
54. S. 84°12'00" E., 40.00 feet to an old concrete monument (found) at the southeast terminus of 40.00 foot right-of-way; thence running with two easterly lines of said right-of-way,
55. N. 05°50'00" E., 95.84 feet to an old concrete monument (found); thence
56. N. 41°45'00" E., 124.46 feet to a point (formerly) old concrete monument (destroyed) at the intersection of the easterly line of 40 foot right-of-way with the southerly line of Ranch Road; thence running with five original outer boundary lines of the 367.334 acre tract from Kanawha Land Company and the south line of Ranch Road,
57. S. 86°18'00" E., 155.75 feet to a point; thence
58. S. 71°40'00" E., 150.80 feet to a point; thence
59. S. 50°08'00" E., 277.83 feet to a point; thence
60. S. 87°37'00" E., 138.41 feet to a point thence
61. S. 80°36'00" E., 64.32 feet to an old concrete monument (found) at an original common corner to the 367.334 acre tract and the 3.117 acre tract conveyed by South Development Company to Union Carbide Corporation dated September 29, 1962 recorded in Deed Book 1374, at page 39; thence leaving Ranch Road and running with the common line to James Park Addition,
62. S. 00°10'00" E., 244.65 feet to an old concrete monument; thence continuing with an original outer boundary line of the 367.334 acre tract and being a common line to James Park Addition,
63. S. 89°10'00" E., 265.00 feet to a point in common line to lot no. 19D of James Park Addition; thence
64. S. 00°10'00" E., 465.40 feet to a point in fence at common corner to Lot No. 62-E of James Park Addition owned by John Merriman described in Deed Book 1997, at page 731, said point being the beginning corner of Parcel One described in deed from South Development Company to Union Carbide Corporation dated September 29, 1962 recorded in Deed Book 1374, at page 39; thence running with original northerly lines of said parcel one,
65. N. 50°25'00" E. 141.91 feet to a point in the westerly line of Ashlawn Road; thence running with Ashlawn Road with a curved line to the left having a radius of forty feet,
66. S. 58°25'00" E., a chord distance of 36.81 feet to a point; thence
67. N. 71°51'00" E., a chord distance of 35.00 feet to a point; thence
68. N. 35°19'00" E., 44.01 feet to a point; thence continuing with the southerly line of Ashlawn Road,

69. N. 58°38'00" E., 119.95 feet to a point at common corner to Lot 61-E of James Park Addition; thence leaving Ashlawn Road and running with common line to Lot 61-E,
70. S. 31°22'00" E., 101.74 feet to a point; thence running
71. N. 52°53'00" E., 70.23 feet to a point at common corner to Lots 55-E and 57-E of James Park Addition; thence running with the north line of Lot No. 55-E,
72. N. 42°36'00" E., 46.44 feet to a point; thence
73. N. 73°33'00" E., 58.07 feet to a point; thence
74. N. 65°01'00" E., 39.15 feet to a point at common corner to Lots 55-E and 57-E of James Park Addition; thence running with the north line of Lot No. 55-E,
75. S. 42°50'00" W., 69.65 feet to a point at common corner to Lot 55-E and original corner to Parcel One described in deed from South Development, Inc.; thence running with two original lines of Parcel One and part of a third line,
76. S. 44°31'00" E., 100.00 feet to a point in the north line of Todd Road; thence running with the north line of Todd Road,
77. S. 44°53'00" W., 251.05 feet to a point at the southwest terminus of Todd Road; thence running with six (6) southerly lines of Parcel Two,
78. N. 75°37'00" W., 87.25 feet to an old concrete monument at the common corner to Parcels One and Two described in deed from South Development, Inc.; thence
79. S. 48°24'00" W., 77.19 feet to an old concrete monument ; thence
80. S. 41°45'00" W., 85.00 feet to an old concrete monument; thence
81. S. 34°12'00" W., 82.53 feet to an old concrete monument; thence
82. S. 16°18'00" W., 42.34 feet to an old concrete monument ; thence
83. S. 56°37'00" W., 57.49 feet to an old concrete monument; thence
84. N. 84°44'29" W., 73.27 feet to an old concrete monument at the original common corner to Parcel Two and the original 367.334 acre tract from Kanawha Land Company; thence running with an original easterly line of said 367.334 acre tract,
85. S. 00°10'00" E., 691.19 feet to a concrete monument north of existing gas pipeline at the common corner to the 82.27 acre tract of land owned by R. Edward Hamrick, Jr. being described in Deed Book 2488, at page 398; thence running with six (6) original southerly lines of the 367.334 acre tract from Kanawha Land Company described in Deed Book 1099, at page 428,
86. N. 82°35'00" W., 206.15 feet to an 18 inch white oak with old hacks; thence
87. S. 77°46'00" W., 266.16 feet to a 36 inch white oak with old hacks; thence
88. S. 35°02'00" W., 250.57 feet to a concrete monument (found); thence
89. S. 49°53'00" W., 339.95 feet to a concrete monument at the common corner to the 2.70 acre parcel owned by R. V. Properties, Inc. described in Deed Book 2629, at page 908 and the 4.84 acre parcel of land owned by Rose Marie Grishaber; thence continuing with original southerly lines of the 367.334 acre tract from Kanawha Land Company,
90. N. 81°30'00" W., 318.01 feet to a point formerly a concrete monument (destroyed); thence
91. N. 78°52'00" W., 228.53 feet to a point formerly a concrete monument (destroyed) at the common corner to the original "HOLZ" 166 acre tract described in deed from The National Bank of Commerce, as executor and trustee to Union Carbide Corporation dated July 31, 1967 recorded in said Clerk's office in Deed

- Book 1497, at page 453; thence running with five original easterly lines of "HOLZ" 166 acre tract,
92. S. 74°51'00" W., 307.41 feet to an old concrete monument (found); thence
 93. S. 60°52'00" W., 353.36 feet to a point formerly an old concrete monument (destroyed); thence
 94. S. 24°01'00" W., 348.48 feet to an old concrete monument (found); thence
 95. S. 16°19'00" W., 561.88 feet to an old concrete monument (found); thence
 96. S. 01°14'00" E., 274.27 feet to a 8 inch black oak at fence angle with old hacks; thence with part of an original easterly line of 166 acre tract,
 97. S. 20°10'00" E., 1153.57 feet to a point I the northerly non-controlled access right-of-way line of relocated U. S. Route No. 119 (Corridor "G") of Project APD-323 (62) described in deed from Union Carbide Corporation to West Virginia Department of Highways (Tract Two) described in Deed Book 1997, at page 582; thence running with the northerly non-controlled access right-of-way line of relocated U. S. Route No. 119,
 98. N. 89°45'28" W., 598.04 feet to a point located 235 feet radially left of centerline station 307+00; thence
 99. N. 58°17'32" W., 344.44 feet to a point located 320 feet radially left of centerline station 303+00; thence
 100. N. 54°23'58" W., 395.75 feet to a point located 350 feet radially left of centerline station 299+47.98; thence
 - 100.N. 67°59'36" W., 356.17 feet to a point located 270 feet radially left of centerline station 296+00; thence
 101. N. 41°01'02" W., 207.19 feet to a point located 320 feet radially left of centerline station 294+00; thence
 102. N. 53°19'06" W., 518.60 feet to a point located 340 feet radially left of centerline station 288+81.72; thence
 103. N. 51°42'36" W., 376.90 feet to a point located 380 feet radially left of centerline station 285+50; thence
 104. N. 78°12'38" W., 424.46 feet to a point located 320 feet radially left of centerline station 282+25 of northeasterly non-controlled access right-of-way line of relocated West Virginia Route No. 601 (Jefferson Road); thence running with the northeasterly line of relocated West Virginia Route No. 601 (Jefferson Road),
 105. N. 37°34'22" W., 200.00 feet to a point located 225 feet left of and at right angle to centerline station 6+00; thence
 105. N. 54°48'21" W., 187.15 feet to a point in original common line to Holz and Riling tracts; thence continuing with northeasterly non-controlled access right-of-way line of relocated West Virginia Route No. 601 (Jefferson Road),
 106. N. 29°34'50" W., 287.59 feet to a West Virginia Department of Highways concrete monument (found) 145 left of and right angle to centerline station 1+50; thence continuing with said non-controlled access right-of-way line,
 107. N. 48°26'07" W., 103.29 feet to a point in the existing northeast right-of-way line of Jefferson Road – West Virginia Route No. 601, said being in original southerly line of Parcel No. 1 described in deed from Ada Pruett Riling et al to Union Carbide Corporation dated December 2, 1974 recorded in the Deed Book 1748, at

page 27; thence continuing with northeast right-of-way line of Jefferson Road – West Virginia Route No. 601,
108. N. 30°41'18" W., 41.82 feet to a point; thence with offset in said right-of-way line,
109. S. 59°45'00" W., 30.00 feet to a point; thence with said right-of-way line
110. N. 30°15'00" W., 55.71 feet to a concrete monument at the common corner to the parcel of land owned by Robert E. Curry and Sue Curry being described in deed Book 2260, at page 465; thence
111. N. 53°00'00" E., 100.00 feet to an old concrete monument; thence
112. N. 46°45'00" W., 152.00 feet to a point (formerly concrete monument now destroyed); thence
113. N. 69°05'00" W., 100.00 feet to a point (formerly a concrete monument now destroyed); thence leaving common corner to Curry and running with southerly lines of original Parcel No. 1 described in deed from Ada Pruett Riling et al to Union Carbide Corporation date December 2, 1974 recorded in Deed Book 1748, at page 27,
114. N. 35°59'30" W., 26.02 feet to a point (formerly a concrete monument now destroyed); thence
115. N. 48°58'02" W., 20.00 feet to a point (formerly a concrete monument now destroyed); thence
116. N. 20°00'21" W., 81.20 feet to an old iron pin in concrete at the original common corner to Parcels 1 and 3 of Riling deed; thence continuing with four (4) original southerly lines of Parcel No. 1 of said Riling deed,
117. N. 23°13'24" E., 21.25 feet to an "X" cut on rock ledge in centerline of drain; thence
118. N. 68°57'04" W., 38.00 feet to a concrete monument (found) with pointers; thence
119. N. 89°57'04" W., 65.00 feet to a concrete monument (found) with pointers; thence
120. N. 66°01'45" W., 89.91 feet to an old iron pin by fencepost at the original common corner to Parcels Nos. 1 and 2 of Riling deed; thence running with three southerly lines of Parcel No. 2 of said deed,
121. N. 80°14'32" W., 97.12 feet to a concrete monument; thence
122. N. 85°25'00" W., 111.34 feet to a concrete monument; thence
123. S. 87°10'00" W., 31.96 feet to a concrete monument at the common corner to the tract of land owned by Michael Sullivan being described in Deed Book 2436, at page 212; thence running with the common line to Sullivan and being the original westerly line of Parcel No. 2 of Riling deed;
124. N. 07°50'31" E., 134.55 feet to a 1 ½ inch old iron pin by fence post at the original northwest corner of Parcel 2 of Riling deed; thence continuing with common line to Sullivan and being the original westerly line of Parcel No. 1 of Riling deed and with the old fence line,
125. N. 07°50'31" E., 1018.90 feet to an old concrete monument (found) at common corner to said tracts; thence running with part of the original southerly line of the 97.783 acre tract described in deed from Mary J. Massey to Union Carbide and Carbon Chemicals Corporation dated January 25, 1947 recorded in Deed Book 776, at page 240 and being a common line to Sullivan tract, and Lots Nos. 6 thru 11 of

Forest Edge Subdivision and the tracts of land owned by James F. Blankenship described in Deed Book 2374, at page 962 and Deed Book 2337, at page 737,

126. S. 74°59'00" W., passing several old concrete monuments on line, in all a total distance of 1478.48 feet to a point (formerly old concrete monument now destroyed) at the common corner to Blankenship tract described in Deed Book 2374, at page 962; thence running with part of original westerly line of the Massey 97.783 acre tract,

127. N. 08°12'00" E., 732.87 feet to a point being the southwest corner of the parcel of land containing 19,453.28 square feet described in deed from Union Carbide Corporation to Everett E. Moore dated April 2, 1986 recorded in Deed Book 2126, at page 239; thence running with five (5) lines of said 19,453.28 square foot parcel,

128. N. 72°48'00" E., 112.35 feet to a 2 inch pipe post; thence

129. N. 23°58'00" E., 49.20 feet to a 2 inch pipe post; thence

130. N. 58°31'00" E., 50.12 feet to a 2 inch pipe post; thence

131. N. 13°13'00" E., 40.41 feet to a 2 inch pipe post; thence the top of the cut,

132. N. 75°34'00" W., 157.89 feet to an iron pin at the original northwest corner of said 19,453.28 square foot parcel and being in the original westerly line of Massey 97.783 acre tract; thence running with part of original westerly line of Massey tract,

133. N. 08°12'00" E., passing old concrete monuments on line, in all a total distance of 1094.91 feet to an old concrete monument (found) at Rogers Branch; thence continuing with part of the original westerly line of Massey tract,

134. N. 08°37'02" E., 203.31 feet to a concrete monument (found) west of existing fence; thence

135. N. 33°18'30" W., passing the common corner to Massey tract and the original 17.062 acre tract described in deed from Lucy H. Settle to Carbide and Carbon Chemicals Corporation dated August 30, 1947 recorded in Deed Book 803, at page 413 at 74.90 feet and continuing on in the same straight line, in all a distance of 169.99 feet to a concrete monument (found) west of existing fence at the original common corner to Settle tract and the 3.716 acre tract described in deed from Lulu B. Dickinson Owens et al to Union Carbide Corporation dated October 28, 1957 recorded in Deed Book 1230, at page 60; thence running with three original lines of Dickinson deed,

136. N. 82°57'00" W., 209.26 feet to a concrete monument (found) west of existing fence corner at the original southwest corner of the 3.716 acre parcel, and being a common corner to the parcel of land owned by Betty R. Haynes described in Will Book 740, at page 658 and the parcel of land owned by Susan Carrow described in Deed Book 2530, at page 473; thence running with the common line to Haynes,

137. N. 12°21'00" W., 164.87 feet to a concrete monument (found) west of fence; thence

138. N. 08°29'00" E., 256.78 feet to a concrete monument (found) west of fence at common corner to Haynes and the parcel of land owned by Richard E. Oakes, Sr. described in Deed Book 2358, at page 427; thence running with the common line between Oakes and Carbide,

139. N. 08°29'00" E., 96.47 feet to the point of beginning, containing 650.20 acres, more or less.

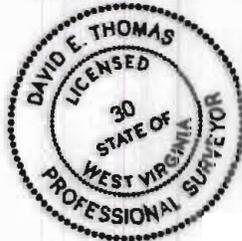
The above described tract of land being comprised of the following original deeds into Union Carbide Corporation>

- A. The 97.54 acre tract of land described in deed from Mary J. Massey to Carbide and Carbon Chemicals Corporation dated January 25, 1947 recorded in Deed book 776, at page 240.
- B. The 3.33 acre tract of land described in deed from Mary B. Lamson to Carbide & Carbon Chemicals Corporation dated January 31, 1947 recorded in Deed Book 782, at page 343.
- C. The 20.00 acre tract of land described in deed from Kanawha Land Company to Carbide and Carbon Chemicals Corporation to dated March 11, 1947 recorded in Deed Book 782, at page 343.
- D. The 17.062 acre tract of land described in deed from Lucy B. Settle to Carbide and Carbon Chemicals Corporation dated August 30, 1947 recorded in Deed Book 803, at page 413.
- E. The 367.334 acre tract of land described in deed from Kanawha Land Company to Union Carbide & Carbon Chemicals Corporation dated July 22, 1954 recorded in Deed Book 1099, at page 428.
- F. The original 3.716 acre tract of land described in deed from Lulu B. Dickinson Owens et al to Union Carbide Corporation dated October 28, 1957 recorded in Deed Book 1230, at page 60.
- G. Parcels Nos. 1, 2 & 3 described in deed from Ada Pruett Riling et al to Union Carbide Corporation dated December 2, 1974 recorded in Deed Book 1748, at page 27.
- H. The 2.083 acre parcel of land described in deed from Ada Pruett Riling et al to Union Carbide Corporation dated December 2, 1974 recorded in Deed Book 1748, at page 37.
- I. The 166 acre tract of land described in deed from The National Bank of Commerce, Executor & Trustee to Union Carbide Corporation dated July 31, 1967 recorded in Deed Book 1497, at page 453.
- J. Deed from South Development Company to Union Carbide Corporation dated September 29, 1962 recorded in Deed Book 1374, at page 39.
- K. 1964 recorded in Deed Book 1415, at page 166.

August 2, 2011



DAVID E. THOMAS
REGISTERED LAND SURVEYOR NO. 90
IN THE STATE OF WEST VIRGINIA



Appendix D
Map of Site

This instrument was presented to the Clerk of the County Commission of Kanawha County, West Virginia, on and the same is admitted to record.

JAN 20 2012

Teste: *Dora J. McCormick* Clerk

Kanawha County Commission



Legend

- Monitoring Wells
- Landfills
- Ward Hollow Groundwater Plume
- Paved Surface
- Surface Water
- Site Boundary
- Buildings



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Appendix D
 Site Map
 UCC Technology Park
 South Charleston, West Virginia