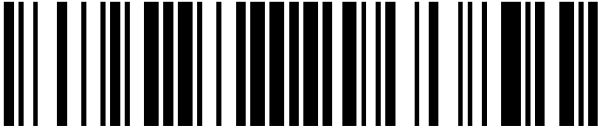




EVIE RAFALKO MCNULTY
Lackawanna County Recorder of Deeds
Government Center
123 Wyoming Ave, Suite 218
Scranton, Pennsylvania 18503

This is a certification page

This page is now part of this legal document – DO NOT DETACH



Recording:

| | |
|------------------------|-------|
| Recording Fees - ROD | 86.00 |
| Cover/Index Page | 2.00 |
| Parcel Certification | 70.00 |
| State Writ Tax | 0.50 |
| County Improvement Fee | 2.00 |
| ROD Improvement Fee | 3.00 |

INSTRUMENT #: 201904899

Receipt#: 317241
Clerk: MRC
Rec Date: 04/11/2019 02:14:29 PM
Doc Grp: D
Descrip: NOTICE
Num Pgs: 40
Rec'd Frm: CORPORATION SERVICE COMPANY
(UCC)

Total: 163.50
**** NOTICE: THIS IS NOT A BILL ****

Party1: GOULD ELECTRONICS INC
Party2: GOULD ELECTRONICS INC
Town: THROOP BOROUGH

I hereby CERTIFY that this document is recorded in
the Recorder of Deeds Office of Lackawanna County,
Pennsylvania.



Evelyn Rafalko McNulty

Evelyn Rafalko McNulty
Recorder of Deeds

** Information may change during the verification
process and may not be reflected on this page

Record and Return To:

ELECTRONICALLY RECORDED BY INGeo

Prepared By:

Robert L. Collings, Esq.
Schnader Harrison Segal & Lewis LLP
1600 Market Street, Suite 3600
Philadelphia, Pennsylvania 19103
215-751-2074

Record and Return To:

Robert L. Collings, Esq.
Schnader Harrison Segal & Lewis LLP
1600 Market Street, Suite 3600
Philadelphia, Pennsylvania 19103
215-751-2074

UPI Number: 12509-010-001
12509-010-002
12509-010-003
12509-010-004
12509-010-005
12509-010-018
12412-050-026

LACKAWANNA COUNTY
Certified Property Identification
MUNI: 38
Date: 04/11/2019
PIN: 12509 010 001
ASSESS VAL: 18,530
Clerk: AN

LACKAWANNA COUNTY
Certified Property Identification
MUNI: 38
Date: 04/11/2019
PIN: 12509 010 004
ASSESS VAL: 2,500
Clerk: AN

LACKAWANNA COUNTY
Certified Property Identification
MUNI: 38
Date: 04/11/2019
PIN: 12509 010005
ASSESS VAL: 2,500
Clerk: AN

LACKAWANNA COUNTY
Certified Property Identification
MUNI: 38
Date: 04/11/2019
PIN: 12509 010 018
ASSESS VAL: 550
Clerk: AN

LACKAWANNA COUNTY
Certified Property Identification
MUNI: 38
Date: 04/11/2019
PIN: 12412 050 026
ASSESS VAL: 32,500
Clerk: AN

REVISED NOTICE OF INSTITUTIONAL CONTROLS AND ACCESS

This Revised Notice of Institutional Controls and Access ("Revised Notice") is made as of the date set forth below, by Gould Electronics Inc., an Arizona corporation (together with its successors and assigns, collectively "Owner") with a business address of 600 Delaware Avenue, Throop, Pennsylvania 18512.

WHEREAS, Gould Electronics Inc. is the owner in fee simple of certain real property located in the Borough of Throop, Lackawanna County, Pennsylvania. A legal description of the property owned by Gould Electronics is attached hereto as Exhibit "A" and made a part hereof.

LACKAWANNA COUNTY
Certified Property Identification
MUNI: 38
Date: 04/11/2019
PIN: 12509 010 003
ASSESS VAL: 900
Clerk: AN

LACKAWANNA COUNTY
Certified Property Identification
MUNI: 38
Date: 04/11/2019
PIN: 12509 010 002
ASSESS VAL: 5,700
Clerk: AN

WHEREAS, a portion of the property described in Exhibit "A" was the location of a battery crushing and lead processing facility which was previously operated by the Marjol Battery and Equipment Company from 1963 to 1980. Between 1963 and 1982, lead was disposed of at portions of the property.

WHEREAS, on December 1, 2000, EPA issued a Final Decision and Response to Comments ("FDRTC") which identified the corrective measures and media cleanup standards selected by EPA.

WHEREAS, EPA, the Commonwealth of Pennsylvania Department of Environmental Protection ("PADEP") and the Owner have entered into a Final Administrative Order on Consent (U.S. EPA Docket No. RCRA-03-2006-0041CA). (the "Consent Order") pursuant to the Resource Conservation and Recovery Act of 1976, the Solid Waste Management Act, as amended, The Clean Streams Law, as amended, the Pennsylvania Hazardous Sites Cleanup Act and the Commonwealth of Pennsylvania Administrative Code of 1929. The Consent Order became effective on or about July 13, 2006.

WHEREAS, in accordance with the Consent Order, Owner agreed to perform certain Corrective Measures described in the FDRTC to address the contamination at the property described in Exhibit "A".

WHEREAS, pursuant to Section VI.H.1.a of the Consent Order, EPA approved a Notice of Institutional Controls and Access on May 29, 2007 (the "Original Notice"), which Original Notice was recorded in Recorder of Deeds of Lackawanna County, Pennsylvania on June 4, 2007 as Instrument number 200714776.

WHEREAS, pursuant to Section VI.H.1.b of the Consent Order, Owner is required to submit to EPA and PADEP a revised Notice of Institutional Controls and Access that describes any property of the Owner that is located in areas of the property described in Exhibit "A" where, pursuant to an approved CMI Design Report, contaminants are intended to be permanently placed.

WHEREAS, Owner used a Regulated Fill General Permit (WMGR096) issued by the Pennsylvania Department of Environmental Protection that requires a recorded deed notice showing the location of the fill placed on the property, including latitude and longitude descriptions, and a description of the types of fill identified by sampling and analysis. Owner used soil or red ash materials from property owned by the Borough of Throop adjacent to Owner's property; the soil or red ash material has been sampled and found to meet the standards of Tables GP-1a and 1b of the Pennsylvania Department of Environmental Protection, in General Permit WMGR096 as regulated fill. The location of the placement of regulated fill is indicated on the map and property description which is attached hereto as Exhibit "B" and made a part hereof. This area is hereafter referred to as "the Property".

WHEREAS, the area within which contaminants have been permanently placed on the property described in Exhibit "A" pursuant to the approved CMI Design Report is entirely within the Property described in Exhibit "B". Only the Property is subject to the following restrictions herein.

WHEREAS, the Consent Order uses the following terms also used herein:

“Conveyance” shall mean any conveyance or transfer of any interest in the property, or portion thereof, including, but not limited to, fee interests, leasehold interests, easements, assignments, licenses and mortgage interests.

“Work” shall mean the Corrective Measures the Owner is required to perform under the Consent Order as described in EPA’s December 1, 2000 FDRTC.

WHEREAS, Owner previously subjected the Property to that certain Revised Notice of Institutional Controls and Access dated April 11, 2011 attached hereto and made part hereof as Exhibit “C” (the “2011 Revised Notice”).

WHEREAS, as to Owner, the 2011 Revised Notice was effective upon execution thereof.

WHEREAS, to bind future owners of the Property or any portion thereof, Owner intended to record the 2011 Revised Notice with the Lackawanna County Recorder of Deeds.

WHEREAS, the copy of the 2011 Revised Notice recorded with the Lackawanna County Recorder of Deeds on or about April 19, 2011 inadvertently omitted certain pages of the 2011 Revised Notice.

WHEREAS, the 2011 Revised Notice also inadvertently failed to list UPI Nos. 12509-010-005 and 12509-010-018, two of the UPI numbers associated with the Property.

WHEREAS, Owner remains the owner of all Property subjected to the 2011 Revised Notice, such that there have not been any other owners of the Property since the date thereof.

WHEREAS, Owner desires to correct the version of the 2011 Revised Notice recorded with the Lackawanna County Recorder of Deeds, and to place the full 2011 Revised Notice among the recorded documents of Lackawanna County, together with an explanation therefor.

WHEREAS, the only differences between this Revised Notice and the 2011 Revised Notice are the correction of the inadvertent omissions described above, minor changes to reflect the execution date hereof, and the addition of these explanatory recitals, and the Revised Notice is therefore substantively identical to and does not modify any provision of the 2011 Revised Notice.

DECLARATION OF INSTITUTIONAL CONTROLS AND ACCESS

NOW, THEREFORE, intending to fulfill the terms of the Consent Order and the requirements of Regulated Fill General Permit WMGR096, this Revised Notice provides the following:

1. Purpose: It is the purpose of this instrument to recite the Consent Order's and the Regulated Fill General Permit's restrictions on use and access provisions. The Consent Order restrictions are listed in Section 2, below. The Consent Order access provisions are listed in Section 3, below. Restrictions regarding termination or modification of those provisions are contained in Section 7.

The General Permit, intended locations of regulated fill, and restrictions on uses and access provisions related to regulated fill are listed in Sections 4-6 below, EPA's approval applies only to provisions related to the Consent Order in Sections 2, 3, and 7, below. PADEP approval relates to the provisions under the Consent Order, and to requirements of the General Permit in Sections 4-6, below.

2. Restrictions on use – Consent Order: The Consent Order restricts use of the Property described and referred to in Exhibit "B" as follows:

2.1 Commencing on the effective date of the Consent Order, and thereafter, the Consent Order requires the Owner not to use the Property or allow a third party to use the Property in any manner that would interfere with or adversely affect the integrity or protectiveness of the Corrective Measures to be implemented pursuant to the Consent Order;

2.2 The Consent Order requires the Owner not to use the Property or allow a third party to use the Property for any purpose which might interfere with, obstruct, or disturb the performance, support, or supervision of the Work, including any Operation and Maintenance activities, taken pursuant to the Consent Order;

2.3 The Consent Order prohibits drilling, construction and/or placement of new groundwater wells at the Property for purposes of drinking, bathing, washing, or any other human contact. The Consent Order further requires that no commercial or industrial uses of the groundwater at the Property shall be permitted without the prior written approval of EPA and PADEP;

2.4 The Consent Order prohibits digging, excavation, drilling, breaching or any other disturbance of the cap and/or containment area in the Property without the prior written approval of EPA and PADEP;

2.5 Pursuant to the Consent Order, any structure or building that is proposed to be placed on top of all or any portion of the cap and/or containment area at the Property must be approved by EPA and PADEP prior to its construction; and

2.6 As required by the Consent Order, Owner shall notify EPA and PADEP, in writing, of any anticipated land use changes at the Property that may affect the final Corrective Measures set forth in the FDRTC to be implemented pursuant to the Consent Order. The Consent Order requires the Owner to submit any land use changes to EPA and PADEP for their review and approval at least thirty (30) days prior to the commencement of any such land use changes at the Property.

3. Provision of Access to EPA and PADEP – Consent Order:

3.1 The Consent Order provides that, EPA, PADEP and/or their authorized representatives have the authority to enter and freely move about all areas of the Property at reasonable times during the effective time period of the Consent Order for the purposes of:

3.1.1 Interviewing Facility personnel and contractors;

3.1.2 Inspecting records, operating logs and contracts related to work undertaken pursuant to and consistent with all provisions of the Consent Order;

3.1.3 Reviewing the progress of Owner in carrying out the terms of the Consent Order;

3.1.4 Conducting such tests, sampling or monitoring as EPA, PADEP or their Project Coordinators deem necessary; using camera, sound recording, or other documentary type equipment; and

3.1.5 Verifying the reports and data submitted to EPA and PADEP by Owner.

3.2 The Consent Order requires that the Owner permit EPA, PADEP and/or their authorized representatives to inspect and copy records, files, photographs, documents, and other writings, in its possession or under its control, including all sampling and monitoring data, that pertain to work undertaken pursuant to the Consent Order.

3.3 Nothing in this document shall limit or otherwise affect EPA's or PADEP's rights of entry and access under law, regulation, or the Consent Order.

4. Description and Location of Regulated Fill on the Property.

4.1 The regulated fill intended to be permanently placed by Owner on the Property is a red ash material derived from burnt culm (coal mining waste material) that exceeds the clean fill criteria for arsenic contained in Table FP-1b of the Fill Management Policy of the Pennsylvania Department of Environmental Protection, Document Number 258-2182-773. The materials will meet the criteria for regulated fill in General Permit WMGR096 and Tables GP-1a and 1b.

4.2 The coordinates for the intended location of the regulated fill on the Property are attached hereto as Exhibit "B" and made a part hereof.

5. Restrictions on Use – General Permit. The General Permit restricts use of the areas where regulated fill is placed as follows:

5.1 The General Permit prohibits the placement of regulated fill in areas where residential uses exist or are planned, unless otherwise authorized. No residential uses are permitted in such areas of the Property.

5.2 The General Permit prohibits the placement of regulated fill in areas which constitute waters of the Commonwealth. Activities which result in the creation of waters of the Commonwealth in areas where regulated fill has been placed are prohibited on the Property.

6. Provision of Access – General Permit. Owner has executed Form E-G P (2540-FM-BWM0217), and has agreed to permit access to the Commonwealth as follows in connection with the placement of regulated fill on areas of the Property:

6.1 The Commonwealth has the right to enter, inspect, monitor and conduct maintenance or abatement on the Property to the extent deemed necessary by the Department as a matter within the police power, but has no obligation to do so, and these rights are not an ownership interest by the Commonwealth.

6.2 The Commonwealth has a right of entry across any lands of the Owner adjoining the area of regulated fill placement in order to have access to the area(s) of such placement.

7. Modification and Termination.

7.1 The Consent Order requires that the Owner not modify or terminate this Revised Notice without the prior written approval of EPA and PADEP.

8. Revision and Replacement of Original Notice. This Revised Notice supersedes and replaces in its entirety the Original Notice recorded on June 4, 2007 as Instrument number 200714776.

IN WITNESS WHEREOF, Owner has executed this Revised Notice as of the
18TH day of MARCH, 2019 to be effective as if recorded by the
Lackawanna County Recorder of Deeds on April 11, 2011.

Gould Electronics Inc.

By: _____


John Callahan

Chief Administrative Officer

STATE OF Arizona :

: SS

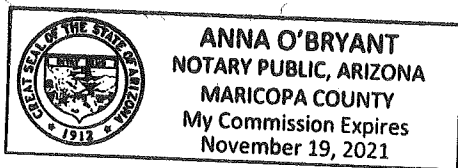
COUNTY OF Maricopa :

ON THIS, the 18 day of March, 2019, before me, the undersigned officer, personally appeared John Callahan, who acknowledged himself to be the Chief Administrative Officer of Gould Electronics Inc., a corporation, and that he in such capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of said corporation by himself as such officer, and that he received a true and correct copy of this instrument and of all other documents referred to therein.

WITNESS my hand and notarial seal as of the day and year aforesaid.

Anna O'Bryant

Anna Clarkson



NOTARY PUBLIC

My Commission Expires:

EXHIBIT A

Legal Description

PARCEL 1

TRACT A

ALL THAT CERTAIN lot, piece or parcel of land situate in Borough of Throop, in the County of Lackawanna and State of Pennsylvania, bounded and described as follows, to wit: Being lot number eight (8) in Block Number Two (2) and situate upon Streets called and named Delaware and Grove Streets upon the plot of lots of Pancoast Coal Company entitled "Bartl & Smith's Map of Lots of the Pancoast Coal Company". Said lot being fifty-three and eighty-five hundredths (53.85/100) feet in front, sixty-two and fifty-three hundredths (62.53/100) feet in rear, one-hundred and eighty-four (184) feet in depth on the northeast side and two hundred (200) feet in depth on the southeasterly side.

TRACT B

ALL THAT CERTAIN lot, piece or parcel of land, situate, lying and being in the Borough of Throop, County of Lackawanna and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the northwesterly line of Grove Street at its intersection with the southwesterly line of Delaware Avenue, being also the easterly corner of Lot No. 8, in Block 1 on said Grove Street, as shown on plot of lots hereinafter referred to; thence along said line of Grove Street, the following courses and distances; South sixty-one degrees forty-three minutes West (S. 61° 43' W.) two hundred forty-two and five tenths (242.5) feet and South forty-eight degrees thirty-seven minutes West (S. 48° 37' W.) two hundred ten (210) feet, more or less, to the easterly corner of Lot No. 1 on said plot of lots; thence along the northeasterly line of said Lot No.1, North forty-nine degrees thirty-four minutes West (N. 49° 34' W.) eighty (80) feet, more or less, to the northerly corner thereof; thence along the rear of northwesterly line of Lots

Numbered 2 to 8 inclusive, in said Block 1, fronting on said Grove Street, North forty degrees twenty-six minutes East (N. 40° 25' E.), four hundred forty-three and two-tenths (443.2) feet, more or less, to the aforesaid southwesterly line of Delaware Avenue; thence along said last mentioned line, South forty-nine degrees fifty-three minutes East (S. 49° 53' E.) two hundred (200) feet, more or less.

TRACT C

ALL THAT CERTAIN lot, piece or parcel of land situate in the Borough of Throop, County of Lackawanna and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point located on the northeasterly side of Delaware Street, said point marking a common corner of lands now or late of L. Fiegleman and lands now or late of V. DeMatteo; thence along line of lands now or late of L. Fiegleman North forty degrees, three minutes East (N. 40° 03' E.) two hundred forty-three and fourteen hundredths (243.14) feet to a corner; thence

along the northeasterly line of said DeMatteo, South fifty degrees four minutes East (S. 50° 04' E.) one hundred twenty-five (125) feet to a corner; thence over and across lands now or late of V. DeMatteo South twenty-eight degrees, twelve minutes West (S. 28° 12' W.) two hundred forty-five and ninety-five hundredths (245.95) feet to a point on the northeasterly line of Delaware Street; thence along the line of Delaware Street North fifty degrees, forty-one minutes West (N. 50° 41' W.) one hundred seventy-five (175) feet to the place of beginning.

TRACT D

BEING the surface or right of soil only of that certain lot, piece, parcel or tract of land situate, lying and being in the Borough of Throop, County of Lackawanna and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a corner in the easterly bank of the Lackawanna River, said corner being distant about 72 feet on a course S. 50° 04' E. from a corner common to lands now or formerly of The Hudson Coal Company and lands known as the Vaughn tract, thence:

(1) along the division line between lands of The Hudson Coal Company and lands herein described by the following coupes and distances:

S. 50° 04' E. about 58.67 feet to a corner marked with a stone monument, thence

S. 50° 04' E. about 1905.81 feet to a corner, said corner being the most northerly corner of a parcel of surface conveyed by Robert Y. Moffet, et ux to Vito DeMatteo by deed dated April 1, 1957, recorded in Lackawanna County Deed Book 546, page 343, thence

(2) along the westerly side line of said parcel of surface conveyed to Vito DeMatteo recorded as aforesaid, S. 40° 05' W. 243.14 feet to a corner in the northerly side line of Delaware Street, thence

(3) along said northerly side line of Delaware Street, N. 50° 41' W. about 300 feet to a corner, said corner being at the westerly terminus of said Delaware Street, thence

(4) along the westerly terminus of said Delaware Street and along the division line between lands herein described and lands known as the Wurtz Tract and along lands now or formerly of the Price Pancoast Coal Company by the following courses and distances:

S. 39° 39' W. about 587.54 feet to a corner marked with a stone monument, thence

N. 49° 22' W. 414.55 feet to a corner marked with a stone monument, thence

S. 41° 14' W. 171.71 feet to a corner marked with a stone monument, thence

N. 63° 43' W. about 1,140 feet to a corner in the aforesaid easterly bank of the Lackawanna River, thence

(4) along the said easterly bank of the Lackawanna River by its several meanderings in a northeasterly direction about 1332 feet to a corner, the place of beginning.

BEING the same property conveyed by GNB Batteries, Inc. to Gould Inc., n/k/a Gould Electronics, Inc., by deed dated March 13, 1984, recorded in Lackawanna County Deed Book 1104, page 140.

PARCEL 2

All that certain piece or parcel of land situate, lying and being in the Borough of Throop, Lackawanna County, and State of Pennsylvania, bounded and described as follows:

Beginning at a point on the southwesterly line of lands of Gould Inc. (D.B. 1104, Pg. 140), said point being North forty-nine degrees, thirty-two minutes and forty-seven seconds West (N 49° 32' 47" W) twenty-five feet (25.00') from a corner of said lands of Gould and the terminus of Adams Court;

Thence along new division lines along the northwesterly line of Woodlawn Street South forty-two degrees and thirty-three minutes West (S 42° 33' W) three-hundred fifty-two and twenty-six one-hundredths feet (352.26') to a corner. Said corner being perpendicular to and ten feet (10.00') distance from an existing chain link fence;

Thence continuing along the new division line and being perpendicular to and ten foot (10.00') from an existing chain link fence North seventy-two degrees, ten minutes and forty-one seconds West (N 72° 10' 41" W) one-hundred thirty-five and eighty-nine one-hundredths feet (135.89') to a corner;

Thence continuing along the new division line and departing from said chain link fence South seventy-one degrees, thirty-nine minutes and thirty-four seconds West (S 71° 39' 34" W) two-hundred ninety-seven and ninety-six one-hundredths feet (297.96') to a corner on the northeast bank of Sulfur Creek;

Thence along the northeast bank of Sulfur Creek, and property of Lukasewicz, the following five (5) courses and distances:

1. North three degrees, sixteen minutes and fourteen seconds West (N3° 16' 14" W) one-hundred forty and twenty-three one-hundredths feet (140.23') to a corner;
2. North twenty-one degrees, forty-eight minutes and five seconds West (N 21° 48' 05" W) fifty-three and eighty-five one-hundredths feet (53.85') to a corner;
3. North thirty-six degrees, three minutes and fifty seconds West (N 36° 03' 50" W) one-hundred thirty-seven and ninety-two one hundredths feet (137.92') to a corner;

4. North forty-seven degrees, thirteen minutes and sixteen seconds West (N 47° 13' 16" W) one-hundred ninety feet (190.00') to a corner;
5. North sixty degrees, fifty-nine minutes and fifty-eight seconds West (N 60° 59' 58" W) one-hundred sixty and ninety-eight one-hundredths feet (160.98') to the north east corner of lands of Andrew Lisko (D.B. 224, Pg. 37);

Thence along line of lands of said Lisko North forty-nine degrees, nineteen minutes and three seconds West (N 49° 19' 03" W) eight-eight and twenty-eight one-hundredths feet (88.28) to the northeast corner of lands of Theresa DeMatteo (D.B. 1149, Pg. 366);

Thence along line of lands of said DeMatteo North sixty degrees, twenty-eight minutes and thirty-one seconds West (N 60° 28' 31" W) sixty and sixty-six one-hundredths feet (60.66') to the northeast corner of lands of Eugene Menago (D.B. 1151, Pg. 787);

Thence along line of lands of said Menago North seventy-four degrees, fifty-nine minutes and twenty-three seconds West (N 74° 59' 23" W) seventy-six and ninety-six one-hundredths (76.96') feet to a corner;

Thence North forty-six degrees, twelve minutes and forty-eight seconds West (N 46° 12' 48" W) two-hundred forty-one and twenty-four one-hundredths feet (241.24') to a corner;

Thence North twelve degrees thirty-nine minutes and eleven seconds East (N 12° 39' 11" E) one-hundred one and fifty-three one-hundredths feet (101.53') to the southwest corner of lands of Gould Inc. (D.B. 1104, Pg. 140);

Thence along said Gould Inc. the following three (3) courses and distances;

1. South sixty-five degrees, seventeen minutes and fifty seconds East (S 65° 17' 50" E) one-thousand seventy-nine and twenty-nine one-hundredths feet (1079.29') to a corner;
2. North thirty-nine degrees, twenty-two minutes and ten seconds East (N 39° 22' 10" E) one-hundred seventy-two and twenty eight one-hundredths feet (172.28') to a corner;
3. South forty-nine degrees, thirty-two minutes and forty-seven seconds East (S 49° 32' 47" E) three-hundred eight-nine and two one-hundredths feet (389.02') to the place of beginning for the lot described herein.

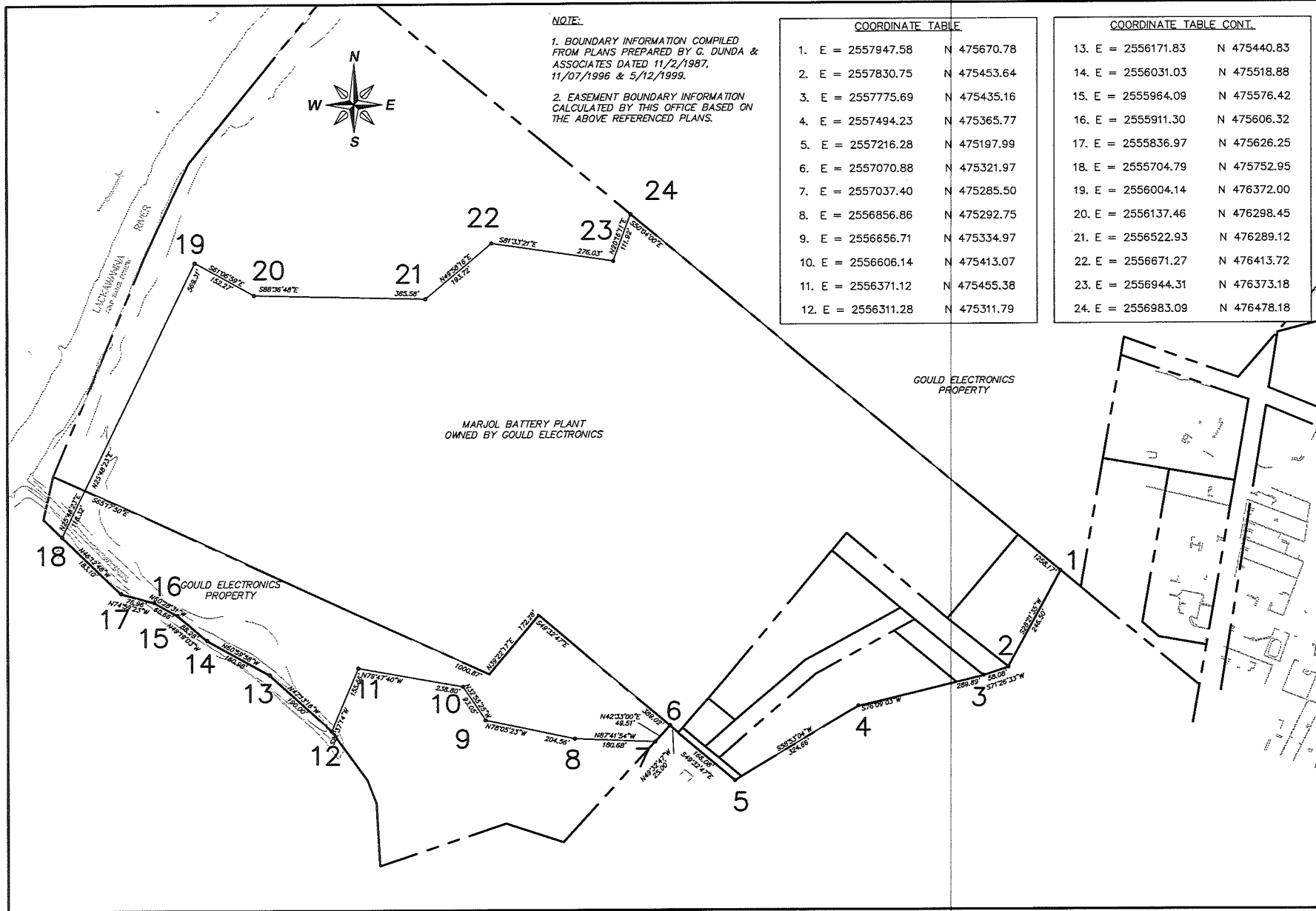
CONTAINING an area of 9.312 acres of land.

BEING the same property conveyed by Throop Borough to Gould Electronics, Inc. by deed dated December 20, 1996, recorded in Lackawanna County Deed Book 1571 page 675.

EXHIBIT B

Regulated Fill Placement Coordinates

See Attached



ADVANCED Geoservices
Engineering for the Environment. Planning for People.TM
 1055 ANDREW DRIVE, SUITE A, WEST CHESTER PA, 19380
 TEL: 610-683-9300 FAX: 610-683-9301 WWW.ADVANCEDGEOSERVICES.COM

**MARJOL BATTERY SITE
 REGULATED FILL PLACEMENT AREA**

PROJECT MANAGER: BLF. SCALE: 1"=200'
 CHECKED BY: K.O. PROJECT NUMBER: 92002-107
 DRAWN BY: P.S.G. DATE:

Figure 1

200 0 200 400
 SCALE IN FEET

**Legal Description
Marjol Battery Plant
Regulated Fill Placement Area**

ALL that certain tract or parcel of ground situate in the Borough of Throop, Lackawanna County Pennsylvania and described as follows:

Beginning at a point marking a corner of this about to described tract and being set on the easterly side of Delaware Street and original corner of Parcel 1, tract C in Deed Book 33 page 689 thence leaving said point of beginning, crossing said Delaware Street South 71 degrees 26 minutes 33 seconds West 58.08 feet to a point set on the northerly side of Helen Street thence along the same the following two courses and distances to wit:

1. South 76 degrees 09 minutes 03 seconds West 289.89 feet to a point
2. South 28 degrees 53 minutes 04 seconds West 324.66 feet to a point set on the easterly side of Adams Court thence North 49 degrees 32 minutes 47 seconds West, crossing a water line, 191.08 to a point set on the northerly side of Woodlawn Street marking a corner of Gould Electronics thence along the same the following three courses and distances to wit:
 1. North 49 degrees 32 minutes 47 seconds West 389.02 feet to a point
 2. South 39 degrees 22 minutes 17 seconds West 172.28 feet to a point
 3. North 65 degrees 17 minutes 50 seconds West, crossing the terminus of a 45 foot wide right of way, 1000.87 feet to a point thence through lands of Marjol Battery Plant the following six courses and distances to wit:
 1. North 25 degrees 48 minutes 23 seconds East 569.31 feet to a point
 2. South 61 degrees 06 minutes 59 seconds East 152.27 feet to a point
 3. South 88 degrees 36 minutes 48 seconds East 385.58 feet to a point
 4. North 49 degrees 58 minutes 16 seconds East 193.72 feet to a point
 5. South 81 degrees 33 minutes 21 seconds East 276.03 feet to a point
 6. North 20 degrees 16 minutes 11 seconds East 111.92 feet to a point set in line of Gould Electronics thence along the same South 50 degrees 04 minutes 00 seconds East 1258.17 feet to a point thence South 28 degrees 21 minutes 35 seconds West 246.50 feet to a point being the first mentioned point and place of beginning.

**Legal Description
Gould Electronics Property
Regulated Fill Placement Area**

ALL that certain tract or parcel of ground situate in the Borough of Throop, Lackawanna County Pennsylvania and described as follows:

Beginning at a point marking the southeasterly corner of this about to be described tract, said point being set in line of lands of Marjol Battery Plant and on the northerly side of Woodlawn Street and being set North 49 degrees 32 minutes 47 seconds West 25.00 from the terminus of Adams Court, thence leaving said point of beginning and along the northerly side of Woodlawn Street South 48 degrees 33 minutes 00 seconds West 49.51 feet to a point thence leaving said Woodlawn Street and through lands of Gould Electronics the following five courses and distances to wit:

1. North 87 degrees 41 minutes 54 seconds West 180.68 feet to a point
2. North 78 degrees 05 minutes 23 seconds West 204.56 feet to a point
3. North 32 degrees 55 minutes 25 seconds West 93.05 feet to a point
4. North 79 degrees 47 minutes 40 seconds West 238.80 feet to a point
5. South 22 degrees 37 minutes 14 seconds West, crossing a water line 155.56 feet to a point set in Sulfur Creek thence along the same the following six courses and distances to wit:
 1. North 47 degrees 13 minutes 16 seconds West 190.00 feet to a point
 2. North 60 degrees 59 minutes 58 seconds West, crossing a 45 foot right of way, 160.98 feet to a point
 3. North 49 degrees 19 minutes 03 seconds West 88.28 feet to a point
 4. North 60 degrees 28 minutes 31 seconds West 60.66 feet to a point
 5. North 74 degrees 59 minutes 23 seconds West 76.96 feet to a point
 6. North 46 degrees 12 minutes 48 seconds West 183.10 feet to a point thence through lands of Gould Electronics North 25 degrees 48 minutes 23 seconds East, crossing aforementioned water line 118.32 feet to a point set in line of lands of Marjol Battery Plant, thence along the same the following three courses and distances to wit:
 1. South 65 degrees 17 minutes 50 seconds East, crossing the terminus of aforementioned 45 foot wide right of way, 1000.87 feet to a point
 2. North 39 degrees 22 minutes 17 seconds East 172.28 feet to a point
 3. South 49 degrees 32 minutes 28 seconds East 389.02 feet to a point being the first mentioned point and place of beginning.

EXHIBIT C

2011 Revised Notice

See attached.

Prepared By:

Robert L. Collings, Esq.
Schnader Harrison Segal & Lewis LLP
1600 Market Street, Suite 3600
Philadelphia, Pennsylvania 19103
215-751-2074

Record and Return To:

Robert L. Collings, Esq.
Schnader Harrison Segal & Lewis LLP
1600 Market Street, Suite 3600
Philadelphia, Pennsylvania 19103
215-751-2074

UPI Number: 12509-010-001
12509-010-002
12509-010-003
12509-010-004
12412-050-026

REVISED NOTICE OF INSTITUTIONAL CONTROLS AND ACCESS

This Revised Notice of Institutional Controls and Access ("Revised Notice") is made this 11th day of April 2011, by Gould Electronics Inc., an Arizona corporation (together with its successors and assigns, collectively "Owner") with a business address of 600 Delaware Avenue, Throop, Pennsylvania 18512.

WHEREAS, Gould Electronics Inc. is the owner in fee simple of certain real property located in the Borough of Throop, Lackawanna County, Pennsylvania . A legal description of the property owned by Gould Electronics is attached hereto as Exhibit "A" and made a part hereof.

WHEREAS, a portion of the property described in Exhibit "A" was the location of a battery crushing and lead processing facility which was previously operated by the Marjol Battery and Equipment Company from 1963 to 1980. Between 1963 and 1982, lead was disposed of at portions of the property.

WHEREAS, on December 1, 2000, EPA issued a Final Decision and Response to Comments ("FDRTC") which identified the corrective measures and media cleanup standards selected by EPA.

WHEREAS, EPA, the Commonwealth of Pennsylvania Department of Environmental Protection ("PADEP") and the Owner have entered into a Final Administrative Order on Consent (U.S. EPA Docket No. RCRA-03-2006-0041CA). (the "Consent Order") pursuant to the Resource Conservation and Recovery Act of 1976, the Solid Waste Management Act, as amended, The Clean Streams Law, as amended, the Pennsylvania Hazardous Sites Cleanup Act and the Commonwealth of Pennsylvania Administrative Code of 1929. The Consent Order became effective on or about July 13, 2006.

WHEREAS, in accordance with the Consent Order, Owner agreed to perform certain Corrective Measures described in the FDRTC to address the contamination at the property described in Exhibit "A".

WHEREAS, pursuant to Section VI.H.1.a of the Consent Order, EPA approved a Notice of Institutional Controls and Access on May 29, 2007 (the "Original Notice"), which Original Notice was recorded in Recorder of Deeds of Lackawanna County, Pennsylvania on June 4, 2007 as Instrument number 200714776.

WHEREAS, pursuant to Section VI.H.1.b of the Consent Order, Owner is required to submit to EPA and PADEP a revised Notice of Institutional Controls and Access that describes any property of the Owner that is located in areas of the property described in Exhibit "A" where, pursuant to an approved CMI Design Report, contaminants are intended to be permanently placed.

WHEREAS, Owner used a Regulated Fill General Permit (WMGR096) issued by the Pennsylvania Department of Environmental Protection that requires a recorded deed notice showing the location of the fill placed on the property, including latitude and longitude descriptions, and a description of the types of fill identified by sampling and analysis. Owner used soil or red ash materials from property owned by the Borough of Throop adjacent to Owner's property; the soil or red ash material has been sampled and found to meet the standards of Tables GP-1a and 1b of the Pennsylvania Department of Environmental Protection, in General Permit WMGR096 as regulated fill. The location of the placement of regulated fill is indicated on the map and property description which is attached hereto as Exhibit "B" and made a part hereof. This area is hereafter referred to as "the Property".

WHEREAS, the area within which contaminants have been permanently placed on the property described in Exhibit "A" pursuant to the approved CMI Design Report is entirely within the Property described in Exhibit "B". Only the Property is subject to the following restrictions herein.

WHEREAS, the Consent Order uses the following terms also used herein:

“Conveyance” shall mean any conveyance or transfer of any interest in the property, or portion thereof, including, but not limited to, fee interests, leasehold interests, easements, assignments, licenses and mortgage interests.

“Work” shall mean the Corrective Measures the Owner is required to perform under the Consent Order as described in EPA’s December 1, 2000 FDRTC.

DECLARATION OF INSTITUTIONAL CONTROLS AND ACCESS

NOW, THEREFORE, intending to fulfill the terms of the Consent Order and the requirements of Regulated Fill General Permit WMGR096, this Revised Notice provides the following:

1. Purpose: It is the purpose of this instrument to recite the Consent Order’s and the Regulated Fill General Permit’s restrictions on use and access provisions. The Consent Order restrictions are listed in Section 2, below. The Consent Order access provisions are listed in Section 3, below. Restrictions regarding termination or modification of those provisions are contained in Section 7.

The General Permit, intended locations of regulated fill, and restrictions on uses and access provisions related to regulated fill are listed in Sections 4-6 below, EPA’s approval applies only to provisions related to the Consent Order in Sections 2, 3, and 7, below. PADEP approval relates to the provisions under the Consent Order, and to requirements of the General Permit in Sections 4-6, below.

2. Restrictions on use – Consent Order: The Consent Order restricts use of the Property described and referred to in Exhibit “B” as follows:

2.1 Commencing on the effective date of the Consent Order, and thereafter, the Consent Order requires the Owner not to use the Property or allow a third party to use the Property in any manner that would interfere with or adversely affect the integrity or protectiveness of the Corrective Measures to be implemented pursuant to the Consent Order;

2.2 The Consent Order requires the Owner not to use the Property or allow a third party to use the Property for any purpose which might interfere with, obstruct, or disturb the performance, support, or supervision of the Work, including any Operation and Maintenance activities, taken pursuant to the Consent Order;

2.3 The Consent Order prohibits drilling, construction and/or placement of new groundwater wells at the Property for purposes of drinking, bathing, washing, or any other human contact. The Consent Order further requires that no commercial or industrial uses of the groundwater at the Property shall be permitted without the prior written approval of EPA and PADEP;

2.4 The Consent Order prohibits digging, excavation, drilling, breaching or any other disturbance of the cap and/or containment area in the Property without the prior written approval of EPA and PADEP;

2.5 Pursuant to the Consent Order, any structure or building that is proposed to be placed on top of all or any portion of the cap and/or containment area at the Property must be approved by EPA and PADEP prior to its construction; and

2.6 As required by the Consent Order, Owner shall notify EPA and PADEP, in writing, of any anticipated land use changes at the Property that may affect the final Corrective Measures set forth in the FDRTC to be implemented pursuant to the Consent Order. The Consent Order requires the Owner to submit any land use changes to EPA and PADEP for their review and approval at least thirty (30) days prior to the commencement of any such land use changes at the Property.

3. Provision of Access to EPA and PADEP – Consent Order:

3.1 The Consent Order provides that, EPA, PADEP and/or their authorized representatives have the authority to enter and freely move about all areas of the Property at reasonable times during the effective time period of the Consent Order for the purposes of:

3.1.1 Interviewing Facility personnel and contractors;

3.1.2 Inspecting records, operating logs and contracts related to work undertaken pursuant to and consistent with all provisions of the Consent Order;

3.1.3 Reviewing the progress of Owner in carrying out the terms of the Consent Order;

3.1.4 Conducting such tests, sampling or monitoring as EPA, PADEP or their Project Coordinators deem necessary; using camera, sound recording, or other documentary type equipment; and

3.1.5 Verifying the reports and data submitted to EPA and PADEP by Owner.

3.2 The Consent Order requires that the Owner permit EPA, PADEP and/or their authorized representatives to inspect and copy records, files, photographs, documents, and other

writings, in its possession or under its control, including all sampling and monitoring data, that pertain to work undertaken pursuant to the Consent Order.

3.3 Nothing in this document shall limit or otherwise affect EPA's or PADEP's rights of entry and access under law, regulation, or the Consent Order.

4. Description and Location of Regulated Fill on the Property.

4.1 The regulated fill intended to be permanently placed by Owner on the Property is a red ash material derived from burnt culm (coal mining waste material) that exceeds the clean fill criteria for arsenic contained in Table FP-1b of the Fill Management Policy of the Pennsylvania Department of Environmental Protection, Document Number 258-2182-773. The materials will meet the criteria for regulated fill in General Permit WMGR096 and Tables GP-1a and 1b.

4.2 The coordinates for the intended location of the regulated fill on the Property are attached hereto as Exhibit "B" and made a part hereof.

5. Restrictions on Use – General Permit. The General Permit restricts use of the areas where regulated fill is placed as follows:

5.1 The General Permit prohibits the placement of regulated fill in areas where residential uses exist or are planned, unless otherwise authorized. No residential uses are permitted in such areas of the Property.

5.2 The General Permit prohibits the placement of regulated fill in areas which constitute waters of the Commonwealth. Activities which result in the creation of waters of the Commonwealth in areas where regulated fill has been placed are prohibited on the Property.

6. Provision of Access – General Permit. Owner has executed Form E-G P (2540-FM-BWM0217), and has agreed to permit access to the Commonwealth as follows in connection with the placement of regulated fill on areas of the Property:

6.1 The Commonwealth has the right to enter, inspect, monitor and conduct maintenance or abatement on the Property to the extent deemed necessary by the Department as a matter within the police power, but has no obligation to do so, and these rights are not an ownership interest by the Commonwealth.

6.2 The Commonwealth has a right of entry across any lands of the Owner adjoining the area of regulated fill placement in order to have access to the area(s) of such placement.

7. Modification and Termination.

7.1 The Consent Order requires that the Owner not modify or terminate this Revised Notice without the prior written approval of EPA and PADEP.

8. Revision and Replacement of Original Notice. This Revised Notice supersedes and replaces in its entirety the Original Notice recorded on June 4, 2007 as Instrument number 200714776.

IN WITNESS WHEREOF, Owner has executed this Revised Notice as of the date first written above.

Gould Electronics Inc.

By: Thomas N. Rich
Thomas N. Rich
Chief Administrative Officer,
Secretary and Treasurer

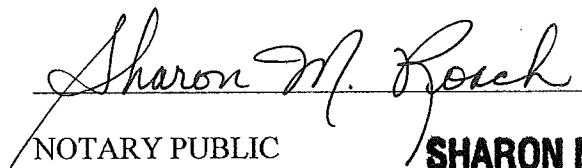
STATE OF OHIO :

: SS

COUNTY OF Lake :

ON THIS, the 11 day of April, 2011, before me, the undersigned officer, personally appeared Thomas N. Rich, who acknowledged himself to be the Chief Administrative Officer, Secretary and Treasurer of Gould Electronics Inc., a corporation, and that he in such capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of said corporation by himself as such officer, and that he received a true and correct copy of this instrument and of all other documents referred to therein.

WITNESS my hand and notarial seal as of the day and year aforesaid.



NOTARY PUBLIC

My Commission Expires:

SHARON M. ROACH
Notary Public, State of Ohio
(Recorded in Lake County)
Commission Expires 7/25/2015

EXHIBIT A

Legal Description

PARCEL 1

TRACT A

ALL THAT CERTAIN lot, piece or parcel of land situate in Borough of Throop, in the County of Lackawanna and State of Pennsylvania, bounded and described as follows, to wit: Being lot number eight (8) in Block Number Two (2) and situate upon Streets called and named Delaware and Grove Streets upon the plot of lots of Pancoast Coal Company entitled "Bartl & Smith's Map of Lots of the Pancoast Coal Company". Said lot being fifty-three and eighty-five hundredths (53.85/100) feet in front, sixty-two and fifty-three hundredths (62.53/100) feet in rear, one-hundred and eighty-four (184) feet in depth on the northeast side and two hundred (200) feet in depth on the southeasterly side.

TRACT B

ALL THAT CERTAIN lot, piece or parcel of land, situate, lying and being in the Borough of Throop, County of Lackawanna and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the northwesterly line of Grove Street at its intersection with the southwesterly line of Delaware Avenue, being also the easterly corner of Lot No. 8, in Block 1 on said Grove Street, as shown on plot of lots hereinafter referred to; thence along said line of Grove Street, the following courses and distances; South sixty-one degrees forty-three minutes West (S. 61° 43' W.) two hundred forty-two and five tenths (242.5) feet and South forty-eight degrees thirty-seven minutes West (S. 48° 37' W.) two hundred ten (210) feet, more or less, to the easterly corner of Lot No. 1 on said plot of lots; thence along the northeasterly line of said Lot No.1, North forty-nine degrees thirty-four minutes West (N. 49° 34' W.) eighty (80) feet, more or less, to the northerly corner thereof; thence along the rear of northwesterly line of Lots

Numbered 2 to 8 inclusive, in said Block 1, fronting on said Grove Street, North forty degrees twenty-six minutes East (N. 40° 25' E.), four hundred forty-three and two-tenths (443.2) feet, more or less, to the aforesaid southwesterly line of Delaware Avenue; thence along said last mentioned line, South forty-nine degrees fifty-three minutes East (S. 49° 53' E.) two hundred (200) feet, more or less.

TRACT C

ALL THAT CERTAIN lot, piece or parcel of land situate in the Borough of Throop, County of Lackawanna and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point located on the northeasterly side of Delaware Street, said point marking a common corner of lands now or late of L. Fiegleman and lands now or late of V. DeMatteo; thence along line of lands now or late of L. Fiegleman North forty degrees, three minutes East (N. 40° 03' E.) two hundred forty-three and fourteen hundredths (243.14) feet to a corner; thence

along the northeasterly line of said DeMatteo, South fifty degrees four minutes East (S. 50° 04' E.) one hundred twenty-five (125) feet to a corner; thence over and across lands now or late of V. DeMatteo South twenty-eight degrees, twelve minutes West (S. 28° 12' W.) two hundred forty-five and ninety-five hundredths (245.95) feet to a point on the northeasterly line of Delaware Street; thence along the line of Delaware Street North fifty degrees, forty-one minutes West (N. 50° 41' W.) one hundred seventy-five (175) feet to the place of beginning.

TRACT D

BEING the surface or right of soil only of that certain lot, piece, parcel or tract of land situate, lying and being in the Borough of Throop, County of Lackawanna and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a corner in the easterly bank of the Lackawanna River, said corner being distant about 72 feet on a course S. 50° 04' E. from a corner common to lands now or formerly of The Hudson Coal Company and lands known as the Vaughn tract, thence:

(1) along the division line between lands of The Hudson Coal Company and lands herein described by the following coupes and distances:

S. 50° 04' E. about 58.67 feet to a corner marked with a stone monument, thence

S. 50° 04' E. about 1905.81 feet to a corner, said corner being the most northerly corner of a parcel of surface conveyed by Robert Y. Moffet, et ux to Vito DeMatteo by deed dated April 1, 1957, recorded in Lackawanna County Deed Book 546, page 343, thence

(2) along the westerly side line of said parcel of surface conveyed to Vito DeMatteo recorded as aforesaid, S. 40° 05' W. 243.14 feet to a corner in the northerly side line of Delaware Street, thence

(3) along said northerly side line of Delaware Street, N. 50° 41' W. about 300 feet to a corner, said corner being at the westerly terminus of said Delaware Street, thence

(4) along the westerly terminus of said Delaware Street and along the division line between lands herein described and lands known as the Wurtz Tract and along lands now or formerly of the Price Pancoast Coal Company by the following courses and distances:

S. 39° 39' W. about 587.54 feet to a corner marked with a stone monument, thence

N. 49° 22' W. 414.55 feet to a corner marked with a stone monument, thence

S. 41° 14' W. 171.71 feet to a corner marked with a stone monument, thence

N. 63° 43' W. about 1,140 feet to a corner in the aforesaid easterly bank of the Lackawanna River, thence

(4) along the said easterly bank of the Lackawanna River by its several meanderings in a northeasterly direction about 1332 feet to a corner, the place of beginning.

BEING the same property conveyed by GNB Batteries, Inc. to Gould Inc., n/k/a Gould Electronics, Inc., by deed dated March 13, 1984, recorded in Lackawanna County Deed Book 1104, page 140.

PARCEL 2

All that certain pierce or parcel of land situate, lying and being in the Borough of Throop, Lackawanna County, and State of Pennsylvania, bounded and described as follows:

Beginning at a point on the southwesterly line of lands of Gould Inc. (D.B. 1104, Pg. 140), said point being North forty-nine degrees, thirty-two minutes and forty-seven seconds West (N 49° 32' 47" W) twenty-five feet (25.00') from a corner of said lands of Gould and the terminus of Adams Court;

Thence along new division lines along the northwesterly line of Woodlawn Street South forty-two degrees and thirty-three minutes West (S 42° 33' W) three-hundred fifty-two and twenty-six one-hundredths feet (352.26') to a corner. Said corner being perpendicular to and ten feet (10.00') distance from an existing chain link fence;

Thence continuing along the new division line and being perpendicular to and ten foot (10.00') from an existing chain link fence North seventy-two degrees, ten minutes and forty-one seconds West (N 72° 10' 41" W) one-hundred thirty-five and eighty-nine one-hundredths feet (135.89') to a corner;

Thence continuing along the new division line and departing from said chain link fence South seventy-one degrees, thirty-nine minutes and thirty-four seconds West (S 71° 39' 34" W) two-hundred ninety-seven and ninety-six one-hundredths feet (297.96') to a corner on the northeast bank of Sulfur Creek;

Thence along the northeast bank of Sulfur Creek, and property of Lukasewicz, the following five (5) courses and distances:

1. North three degrees, sixteen minutes and fourteen seconds West (N3° 16' 14" W) one-hundred forty and twenty-three one-hundredths feet (140.23') to a corner;
2. North twenty-one degrees, forty-eight minutes and five seconds West (N 21° 48' 05" W) fifty-three and eighty-five one-hundredths feet (53.85') to a corner;
3. North thirty-six degrees, three minutes and fifty seconds West (N 36° 03' 50" W) one-hundred thirty-seven and ninety-two one hundredths feet (137.92') to a corner;

4. North forty-seven degrees, thirteen minutes and sixteen seconds West (N 47° 13' 16" W) one-hundred ninety feet (190.00') to a corner;
5. North sixty degrees, fifty-nine minutes and fifty-eight seconds West (N 60° 59' 58" W) one-hundred sixty and ninety-eight one-hundredths feet (160.98') to the north east corner of lands of Andrew Lisko (D.B. 224, Pg. 37);

Thence along line of lands of said Lisko North forty-nine degrees, nineteen minutes and three seconds West (N 49° 19' 03" W) eight-eight and twenty-eight one-hundredths feet (88.28) to the northeast corner of lands of Theresa DeMatteo (D.B. 1149, Pg. 366);

Thence along line of lands of said DeMatteo North sixty degrees, twenty-eight minutes and thirty-one seconds West (N 60° 28' 31" W) sixty and sixty-six one-hundredths feet (60.66') to the northeast corner of lands of Eugene Menago (D.B. 1151, Pg. 787);

Thence along line of lands of said Menago North seventy-four degrees, fifty-nine minutes and twenty-three seconds West (N 74° 59' 23" W) seventy-six and ninety-six one-hundredths (76.96') feet to a corner;

Thence North forty-six degrees, twelve minutes and forty-eight seconds West (N 46° 12' 48" W) two-hundred forty-one and twenty-four one-hundredths feet (241.24') to a corner;

Thence North twelve degrees thirty-nine minutes and eleven seconds East (N 12° 39' 11" E) one-hundred one and fifty-three one-hundredths feet (101.53') to the southwest corner of lands of Gould Inc. (D.B. 1104, Pg. 140);

Thence along said Gould Inc. the following three (3) courses and distances;

1. South sixty-five degrees, seventeen minutes and fifty seconds East (S 65° 17' 50" E) one-thousand seventy-nine and twenty-nine one-hundredths feet (1079.29') to a corner;
2. North thirty-nine degrees, twenty-two minutes and ten seconds East (N 39° 22' 10" E) one-hundred seventy-two and twenty eight one-hundredths feet (172.28') to a corner;
3. South forty-nine degrees, thirty-two minutes and forty-seven seconds East (S 49° 32' 47" E) three-hundred eight-nine and two one-hundredths feet (389.02') to the place of beginning for the lot described herein.

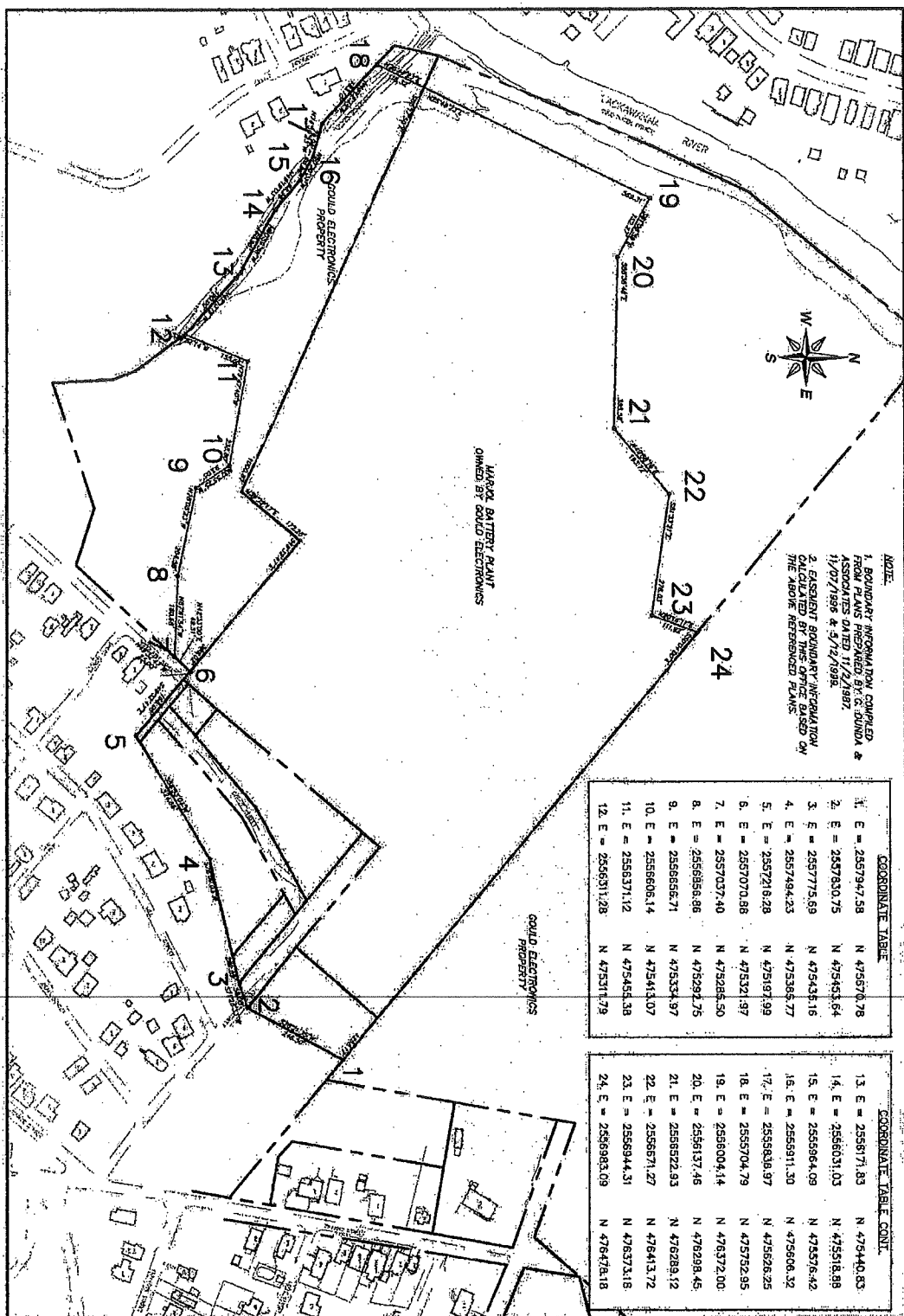
CONTAINING an area of 9.312 acres of land.

BEING the same property conveyed by Throop Borough to Gould Electronics, Inc. by deed dated December 20, 1996, recorded in Lackawanna County Deed Book 1571 page 675.

EXHIBIT B

Regulated Fill Placement Coordinates

See Attached



NOTE:
1. BOUNDARY INFORMATION COMPILED FROM PLANS PREPARED BY G. DUNDAS & ASSOCIATES DATED 11/2/1987, 11/07/1985 & 5/12/1995.
2. EXISTENT BOUNDARY INFORMATION CALCULATED BY THIS OFFICE BASED ON THE ABOVE REFERENCED PLANS.

| COORDINATE TABLE | | |
|------------------|--------------|-------------|
| 1. E | = 2557947.58 | N 475670.78 |
| 2. E | = 2557930.75 | N 475493.64 |
| 3. E | = 2557775.89 | N 475435.16 |
| 4. E | = 2557494.23 | N 475385.77 |
| 5. E | = 2557216.28 | N 475197.99 |
| 6. E | = 2557070.86 | N 475321.97 |
| 7. E | = 2557037.40 | N 475285.50 |
| 8. E | = 2556958.86 | N 475292.75 |
| 9. E | = 2556856.71 | N 475334.97 |
| 10. E | = 2556806.14 | N 475413.07 |
| 11. E | = 2556371.12 | N 475453.38 |
| 12. E | = 2556311.28 | N 475311.79 |

| COORDINATE TABLE CONT. | | |
|------------------------|--------------|-------------|
| 13. E | = 2556171.83 | N 475440.83 |
| 14. E | = 2556031.03 | N 475518.89 |
| 15. E | = 2555964.09 | N 475576.42 |
| 16. E | = 2555911.30 | N 475606.32 |
| 17. E | = 2555836.97 | N 475626.25 |
| 18. E | = 2555704.79 | N 475752.85 |
| 19. E | = 2556004.14 | N 476372.00 |
| 20. E | = 2556137.46 | N 476298.45 |
| 21. E | = 2556572.53 | N 476289.12 |
| 22. E | = 2556671.27 | N 476413.72 |
| 23. E | = 2556944.31 | N 476373.18 |
| 24. E | = 2556983.09 | N 476478.18 |

SCALE IN FEET

ADVANCED Geoservices

Engineering for the Environment, Planning for People

1000 ARDEN DRIVE, SUITE A, WEST CHESTER, PA 19380
TEL: 610-331-7000 FAX: 610-331-7001 WWW.ADVANCEDGEOSERVICES.COM

**MARJOL BATTERY SITE
REGULATED FILL PLACEMENT AREA**

| | | | |
|------------------|--------|-----------------|-----------|
| PROJECT MANAGER: | B.L.F. | SCALE: | 1"=200' |
| CHECKED BY: | K.D. | PROJECT NUMBER: | 92002-107 |
| DRAWN BY: | P.S.G. | DATE: | |

**Legal Description
Marjol Battery Plant
Regulated Fill Placement Area**

ALL that certain tract or parcel of ground situate in the Borough of Throop, Lackawanna County Pennsylvania and described as follows:

Beginning at a point marking a corner of this about to described tract and being set on the easterly side of Delaware Street and original corner of Parcel 1, tract C in Deed Book 1104 page 689 thence leaving said point of beginning, crossing said Delaware Street South 71 degrees 26 minutes 33 seconds West 58.08 feet to a point set on the northerly side of Helen Street thence along the same the following two courses and distances to wit:

1. South 76 degrees 09 minutes 03 seconds West 289.89 feet to a point
2. South 58 degrees 53 minutes 04 seconds West 324.66 feet to a point set on the easterly side of Adams Court thence North 49 degrees 32 minutes 47 seconds West 191.08 to a point set on the northerly side of Woodlawn Street marking a corner of Gould Electronics thence along the same the following three courses and distances to wit:

1. North 49 degrees 32 minutes 47 seconds West 389.02 feet to a point
2. South 39 degrees 22 minutes 17 seconds West 172.28 feet to a point
3. North 65 degrees 17 minutes 50 seconds West 1000.87 feet to a point thence through lands of Marjol Battery Plant the following six courses and distances to wit:
 1. North 25 degrees 48 minutes 23 seconds East 569.31 feet to a point
 2. South 61 degrees 06 minutes 59 seconds East 152.27 feet to a point
 3. South 88 degrees 36 minutes 48 seconds East 385.58 feet to a point
 4. North 49 degrees 58 minutes 16 seconds East 193.72 feet to a point
 5. South 81 degrees 33 minutes 21 seconds East 276.03 feet to a point
 6. North 20 degrees 16 minutes 11 seconds East 111.92 feet to a point set in line of Gould Electronics thence along the same South 50 degrees 04 minutes 00 seconds East 1258.17 feet to a point thence South 28 degrees 21 minutes 35 seconds West 246.50 feet to a point being the first mentioned point and place of beginning.

**Legal Description
Gould Electronics Property
Regulated Fill Placement Area**

ALL that certain tract or parcel of ground situate in the Borough of Throop, Lackawanna County Pennsylvania and described as follows:

Beginning at a point marking the southeasterly corner of this about to be described tract, said point being set in line of lands of Marjol Battery Plant and on the northerly side of Woodlawn Street and being set North 49 degrees 32 minutes 47 seconds West 25.00 from the terminus of Adams Court, thence leaving said point of beginning and along the northerly side of Woodlawn Street South 42degrees 33 minutes 00 seconds West 49.51 feet to a point thence leaving said Woodlawn Street and through lands of Gould Electronics the following five courses and distances to wit:

1. North 87 degrees 41 minutes 54 seconds West 180.68 feet to a point
2. North 78 degrees 05 minutes 23 seconds West 204.56 feet to a point
3. North 32 degrees 55 minutes 25 seconds West 93.05 feet to a point
4. North 79 degrees 47 minutes 40 seconds West 238.80 feet to a point
5. South 22 degrees 37 minutes 14 seconds West, crossing a water line 155.56 feet to a point set in Sulfur Creek thence along the same the following six courses and distances to wit:
 1. North 47 degrees 13 minutes 16 seconds West 190.00 feet to a point
 2. North 60 degrees 59 minutes 58 seconds West 160.98 feet to a point
 3. North 49 degrees 19 minutes 03 seconds West 88.28 feet to a point
 4. North 60 degrees 28 minutes 31 seconds West 60.66 feet to a point
 5. North 74 degrees 59 minutes 23 seconds West 76.96 feet to a point
 6. North 46 degrees 12 minutes 48 seconds West 183.10 feet to a point thence through lands of Gould Electronics North 25 degrees 48 minutes 23 seconds East 118.32 feet to a point set in line of lands of Marjol Battery Plant, thence along the same the following three courses and distances to wit:
 1. South 65 degrees 17 minutes 50 seconds East 1000.87 feet to a point
 2. North 39 degrees 22 minutes 17 seconds East 172.28 feet to a point
 3. South 49 degrees 32 minutes 47seconds East 389.02 feet to a point being the first mentioned point and place of beginning.