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PATRICK O'CONNELL
RECORDING FEE: 57.00

Recording Requested By:

McWane, Inc.
c/o Mike Olvera, AB&I Foundry
7825 San Leandro Street
Oakland, California 94621-2598

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JK



15 PGS

When Recorded, Mail To:

Ariu Levi, Director
Alameda County Environmental Health Services
1131 Harbor Bay Parkway
Alameda, California 94502

**COVENANT AND ENVIRONMENTAL RESTRICTION
ON PROPERTY**

AB&I Foundry
7825 San Leandro Street
Oakland, California

This Covenant and Environmental Restriction on Property (this "Covenant") is made as of the 21st day of September, 2011 by McWane, Inc. ("Covenantor") who is the Owner of record of that certain property situated at 7825 San Leandro Street, in the City of Oakland, County of Alameda _____, State of California, which is more particularly described in Exhibit A attached hereto and incorporated herein by this reference (such portion hereinafter referred to as the "Burdened Property"), for the benefit of the Alameda County Environmental Health Services (the "County"), with reference to the following facts:

A. The Burdened Property and groundwater underlying the property contains hazardous materials.

B. Contamination of the Burdened Property. Soil at the Burdened Property was contaminated by previous industrial operations, including but not limited to the manufacture of cast pipe and fittings and warehousing operations and by releases from six underground fuel storage tanks formerly present at the Burdened Property. These operations resulted in contamination of soil and groundwater with organic chemicals including petroleum hydrocarbons, primarily benzene, toluene, ethylbenzene, and xylene; and chlorinated solvents, primarily 1,1,1-TCA, 1,1-dichloroethane (1,1-DCA), 1,1-dichloroethene (1,1-DCE), chloroethane, cis-and trans-1,2-dichloroethene (1,2-DCE), and vinyl chloride. These constituents constitute hazardous materials as that term is defined in Health & Safety Code Section 25260. To treat and control migration of contaminated soil and groundwater, several remedial actions were conducted at the Burdened Property including excavation and off-site disposal of contaminated