

## DECLARATION OF RESTRICTIVE COVENANT

MDEQ Reference No.: **RC-OWMRP-111-15-012**

Facility MID Number **MID 050 616 622**

MDEQ Approval Date \_\_\_\_\_

This Declaration of Restrictive Covenant is made to protect public health, safety, or welfare, or the environment pursuant to the provisions of Part 111, Hazardous Waste Management, Michigan Compiled Laws (MCL) 324.11101 *et seq.* (Part 111) and the applicable sections of Part 201, Environmental Remediation, MCL 324.20101 *et seq.* (Part 201) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), MCL 324.101 *et seq.* and the administrative rules promulgated pursuant to those Parts, MAC R 299.9101 *et seq.* and MAC R 299.5101 *et seq.* and the Solid Waste Disposal Act, commonly referred to as the Resource Conservation and Recovery Act of 1976 (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984, 42 U.S.C. §§ 6901 *et seq.*

This Declaration of Restrictive Covenant (Restrictive Covenant) is made on \_\_\_\_\_ (date) by General Electric Company, the Grantor, whose address is General Electric Company, PO Box 4900, Scottsdale, AZ 85261-4900, for the benefit of the Grantee, Michigan Department of Environmental Quality (MDEQ), whose address is 525 West Allegan Street, PO Box 30473, Lansing, Michigan 48909-7973.

This Restrictive Covenant has been made to prohibit or restrict activities that could result in unacceptable exposure to environmental contamination present at the property located at **18075 Krause Street, Riverview, in the Township of Riverview, County of Wayne, Michigan**, and legally described in **Exhibit 1** (Property).

The Property Number (Property's Tax ID Number) is **51 013 99 0004 001**.

The Property is associated with the **Former General Electric Apparatus Service Center**, MID 050 616 622 for which a Corrective Measure Implementation Plan (CMIP) submitted on August 26, 2015 and subsequently amended on August 13, 2018 was approved by the MDEQ on \_\_\_\_\_, 20\_\_\_. The corrective measures being implemented to address environmental contamination are fully described in the CMIP entitled *Revised Corrective Measures Implementation Report* submitted by Environmental Resources Management on behalf of General Electric Company.

The CMIP requires the recording of this Restrictive Covenant to: 1) restrict unacceptable exposures to contaminants located on the Property and 2) assure that the use of Property is consistent with the exposure assumptions utilized in the development of nonresidential cleanup criteria and the exposure control measures relied upon in the CMIP.

The land or resource use restrictions contained in this Restrictive Covenant are based upon information available to the MDEQ at the time the CMIP was approved by the MDEQ. Failure of the corrective measures to achieve and maintain the cleanup criteria, exposure controls, and requirements specified in the CMIP; future changes in the environmental condition of the Property or changes in the cleanup criteria; the discovery of environmental conditions at the Property that were not accounted for in the CMIP; or use of the Property in a manner inconsistent with the restrictions described herein, may result in this Restrictive Covenant not being protective of public health, safety, or welfare, or the environment. Additional restrictions may become necessary. Information pertaining to the environmental conditions at the Property and the corrective actions undertaken at the Property is on file with the MDEQ, Waste Management and Radiological Protection Division.

**Exhibit 2**, attached hereto, provides a survey and a map that identifies the Property subject to land use or resource use restrictions as specified herein.

### Summary of Corrective Measures

Contaminants listed in **Exhibit 3** have been found in soils or groundwater at the Property in concentrations above the cleanup criteria for unrestricted residential use for relevant exposure pathways. Areas of the Property described in **Exhibit 3** may contain contaminants in excess of the concentrations that satisfy the cleanup criteria for unrestricted residential use.

The following corrective measures have been undertaken to minimize the migration of contaminants, as described in the CMIP:

1. Excavation and offsite landfill disposal of approximately 6,296 tons of impacted soil and subsequent restoration with clean fill.
2. Plugging of the storm sewer located beneath the former shop building and offices at the manhole located just west of the former office.

Despite the corrective measures named above, contaminants remain present in soils or groundwater at levels that require controls to prevent unacceptable exposures.

The CMIP includes a determination by the MDEQ, Waste Management and Radiological Protection Division, Hazardous Waste Program that groundwater at the site is not in an aquifer and that the use of groundwater at the site for drinking water is not a relevant exposure pathway.

### Definitions

“Grantee” shall mean the MDEQ and the United State Environmental Protection Agency (USEPA), their respective successor entities, and those persons or entities acting on their behalf.

“Grantor” shall mean General Electric Company, the title holder of the Property at the time this Restrictive Covenant was executed, any persons or entities authorized to act on the title holder’s behalf, and any future title holder of the Property or some relevant sub-portion of the Property.

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

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

"Part 111" means Part 111, Hazardous Waste Management, of the NREPA in effect at the time of the recording of this Restrictive Covenant.

All other terms used in this document which are defined in Part 111 of the NREPA and the Part 111 Administrative Rules, or Part 201 of the NREPA and the Part 201 Administrative Rules solely to the extent not inconsistent with the definitions in Part 111 or the Part 111 Administrative Rules, shall have the same meaning in this document as in those statutes and rules as on the date this Restrictive Covenant is made.

## **NOW THEREFORE,**

### Declaration of Land Use or Resource Use Restrictions

The Grantor(s) hereby declare(s) and covenant(s) that the Property shall be subject to those restrictions on use described below and intends that said restrictions and covenants shall run with the land, and may be enforced in perpetuity against the Owner by the following entities: (1) the Grantor, if it is no longer owner; and (2) MDEQ.

1. Land Use Prohibitions. The Owner shall prohibit all uses of the Property that are not compatible or consistent with the exposure assumptions for the nonresidential cleanup criteria. Uses that are compatible with nonresidential cleanup criteria are generally described in the Description of Allowable Uses, attached hereto as **Exhibit 4**.
2. Soil Vapor Management. The Owner shall prohibit the construction of new structures, basements, and/or the addition to existing structures on the Property, unless such construction incorporates engineering controls designed to eliminate the potential for subsurface vapor phase contaminants to migrate into the new structure at concentrations greater than the appropriate concentrations protective of public health; or unless prior to construction of any structure, an evaluation of the potential for any contaminants to volatilize into indoor air assures the protection of persons who may be present in the buildings. Prior to the potential for any human exposures, documentation of compliance with the above requirements must be submitted to MDEQ for approval.
3. Contaminated Soil Management. The Owner shall manage contaminated soils, media and/or debris and all other soils located on the Property in accordance with the requirements of Part 111, RCRA Subtitle C, the administrative rules promulgated pursuant to Part 111 and the RCRA, and all other relevant state and federal laws, including, but not limited to, MCL 324.20120c. This includes if the Owner elects to remove any slabs, pavement or other impervious surface on the Property.
4. Access. The Owner shall grant to the MDEQ the right to enter the Property at reasonable times for the purpose of determining and monitoring compliance with the CMIP and this Restrictive Covenant, including the right to take samples, inspect the

operation of the corrective measures, inspect any records relating thereto, and to perform any actions necessary to maintain compliance with the Part 111 and the CMIP.

5. Transfer of Interest. The Grantor shall provide notice at the address provided in this document to the MDEQ of the Grantor's intent to transfer any interest in the Property, or any portion thereof, at least fourteen (14) business days prior to consummating the conveyance. A conveyance of title, easement, or other interest in the Property shall not be consummated by the Grantor without adequate and complete provision for compliance with the terms and conditions of this Restrictive Covenant. The Grantor shall include in any instrument conveying any interest in any portion of the Property, including, but not limited to, deeds, leases, and mortgages, a notice which is in substantially the following form:

NOTICE: THE INTEREST CONVEYED HEREBY IS SUBJECT TO A DECLARATION OF RESTRICTIVE COVENANT AND ENVIRONMENTAL PROTECTION EASEMENT, DATED \_\_\_\_\_ AND RECORDED WITH THE **WAYNE COUNTY** REGISTER OF DEEDS, LIBER\_\_\_\_\_, PAGE\_\_\_\_\_.

A copy of this Restrictive Covenant shall be provided to all future owners, heirs, successors, lessees, easement holders, assigns, and transferees by the person transferring the interest.

6. Notices. Any notice, demand, request, consent, approval, or communication that is required to be made or obtained under this Restrictive Covenant shall be made in writing; include a statement that the notice is being made pursuant to the requirements of this Restrictive Covenant; include the Michigan facility identification number, MID 050 616 622, and the MDEQ Reference No. RC-OWMRP-111-15-012; and shall be served either personally, or sent via first class mail, postage prepaid, as follows:

Hazardous Waste Section Manager  
Waste Management and Radiological Protection Division  
Michigan Department of Environmental Quality  
P.O. Box 30241  
Lansing, Michigan 48909-7741

7. Term. This Restrictive Covenant shall run with the Property and shall be binding on the Owner, and all current and future successors, lessees, easement holders, their assigns, and their authorized agents, employees, or persons acting under their direction and control. This Restrictive Covenant may only be modified or rescinded with the written approval of the MDEQ.
8. Enforcement. The Grantor is entitled to enforce the restrictions and covenants of this Restrictive Covenant by specific performance or other legal action in a court of competent jurisdiction against subsequent Owners of all or part of the Property. The Grantor, on behalf of itself, and its successors in title, intends and agrees that MDEQ is entitled to enforce the restrictions and covenants in this Restrictive Covenant by specific performance or other legal action in a court of competent jurisdiction against the Grantor, as Owner, and thereafter against subsequent Owners of all or part of the Property. All remedies available hereunder shall be in addition to any and all other remedies at law or equity.

9. Modification/Release/Rescission. The Grantor or Owner may request in writing to the MDEQ, at the address provided herein, modifications to, or release or rescission of, this Restrictive Covenant. This Restrictive Covenant may be modified, released or rescinded only with the written approval of the MDEQ. Any approved modification to, or release or rescission of, this Restrictive Covenant shall be filed with the appropriate Registrar of Deeds by the Grantor or Owner and a certified copy shall be returned to the MDEQ at the address provided herein.
10. Severability. If any provision of this Restrictive Covenant is held to be invalid by a court of competent jurisdiction, the invalidity of such provision shall not affect the validity of any other provisions of this Restrictive Covenant and all other provisions shall continue to remain in full force and effect.
11. Authority to Execute Restrictive Covenant. The undersigned person(s) executing this Restrictive Covenant is the Owner, or has the express written permission of the Owner and all other holders of a legal interest whose interest is materially affected by this Restrictive Covenant and represents and certifies that he or she is duly authorized and has been empowered to execute and deliver this Restrictive Covenant.

IN WITNESS WHEREOF, \_\_\_\_\_ has caused this Restrictive Covenant, **RC-OWMRP-111-15-012**, to be executed on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**General Electric Company**

By: \_\_\_\_\_  
Signature

Name: Marian E. Whiteman  
Grantor

Its: Executive Counsel, Brownfields  
Title

The foregoing instrument was acknowledged before me this \_\_\_\_\_ (date) by **Marian E. Whiteman** of General Electric Company, a **New York** Corporation, on behalf of the corporation.

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_ (date)

Notary Public, State of Connecticut

County of \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Acting in the County of Fairfield

**Prepared by:**

**Mr. Thomas O'Connell, PE**  
**Senior Partner**  
**Environmental Resources Management (ERM)**  
**3352 128<sup>th</sup> Avenue**  
**Holland, Michigan 49424**

**When Recorded Return to:**

**Marian E. Whiteman**  
**Executive Counsel-EHS Brownfields Program**  
**Global Law & Policy-OneEHS**  
**General Electric Company**

**801 Main Ave, Mail Stop 801-4065G**  
**The Towers at Merritt River**  
**Norwalk, CT 06856 USA**

**EXHIBIT 1**

**LEGAL DESCRIPTION OF PROPERTY**

**Legal Description of 18075 Krause Street, Riverview Michigan, Parcel #51 013 99 0004  
001:**

# CERTIFIED SURVEY

## PROPERTY DESCRIPTION:

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 6, TOWN 4 SOUTH, RANGE 11 EAST, CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT A POINT DISTANT SOUTH 89 DEGREES 41 MINUTES 05 SECONDS EAST 1350.00 FEET AND DUE NORTH 1885.66 FEET FROM THE SOUTH 1/4 CORNER OF SECTION 6, TOWN 4 SOUTH, RANGE 11 EAST, AND PROCEEDING THENCE DUE NORTH 400.00 FEET ALONG THE EAST LINE OF KRAUSE AVENUE, 60 FEET WIDE; THENCE SOUTH 89 DEGREES 12 MINUTES 20 SECONDS EAST 955.94 FEET TO THE WEST LINE OF THE DETROIT EDISON COMPANY RIGHT-OF-WAY; THENCE ALONG SAID LINE SOUTH 15 DEGREES 04 MINUTES 02 SECONDS WEST 412.70 FEET; THENCE NORTH 89 DEGREES 12 MINUTES 20 SECONDS WEST 848.55 FEET TO THE POINT OF BEGINNING.



I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND HEREIN PLATTED AND DESCRIBED AND THAT THE RATIO OF CLOSURE MEETS THE REQUIREMENTS OF PUBLIC ACT 132 OF 1970.

A handwritten signature in blue ink, appearing to read "A. T. Sycko, Jr.", written over a horizontal line.

ANTHONY T. SYCKO, JR., P.S. NO. 47976



## KEM-TEC & ASSOCIATES

22556 GRATIOT AVE. EASTPOINTE, MI 48021  
PROFESSIONAL SURVEYORS - PROFESSIONAL ENGINEERS  
(586)772-2222 \* FAX (586)772-4048

CERTIFIED TO: ERM

FIELD SURVEY: MP MV

DATE: OCTOBER 13, 2015

DRAWN BY: JL

SHEET: 2 OF 2

SCALE: N/A

JOB NO.: 14-03700



## **EXHIBIT 2**

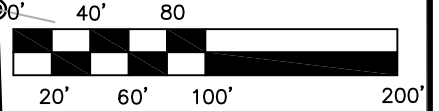
### **SURVEY OF THE PROPERTY**

*Restrictions apply to the entire 18075 Krause Street property shown on the following survey map.*

# CERTIFIED SURVEY



SCALE: 1"=100'



**NOTE:**

A CURRENT TITLE POLICY HAS NOT BEEN FURNISHED AT TIME OF SURVEY, THEREFORE EASEMENTS AND/OR ENCUMBRANCES AFFECTING SUBJECT PARCEL MAY NOT BE SHOWN.

EDISON ILLUMINATION CO. ROW  
 $S15^{\circ}04'02''W(R)$   $S15^{\circ}02'52''W(M)$   
 412.70'(R&M)

FOUND  
1/2"  
REBAR

FOUND  
1/2"  
REBAR  
1.0'N

AREA =  
 $\pm 360,952$  SQ. FT. =  
 $\pm 8.286$  AC.  
 (VACANT)

LOT 10

LOT 9

LOT 8

LOT 7

LOT 6

LOT 5

LOT 4

LOT 3

LOT 1

"SEAWAY INDUSTRIAL PARK SUBDIVISION NO. 1"

$S89^{\circ}12'20''E(R)$   $S89^{\circ}13'30''E(M)$   $955.94'(R)$   $956.04'(M)$

$N89^{\circ}12'20''W(R)$   $N89^{\circ}13'31''W(M)$   $848.55'(R)$   $848.88'(M)$

FOUND 1/2"  
REBAR  
0.3'W & 0.4'S

$N00^{\circ}00'00''E(R&M)$   
 $400.00'(R&M)$

KRAUSE AVENUE  
 60' PUBLIC RIGHT OF WAY  
 ASPHALT

**LEGEND**

- SET 1/2" REBAR WITH CAP, #47976
- ⊙ FOUND MONUMENT (AS NOTED)
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION

POINT OF BEGINNING  
 $270.23'(M)$  FOUND 1/2" REBAR

$N00^{\circ}00'00''E(R&M)$   
 $1885.66'(R&M)$

SOUTH 1/4 CORNER  
 SECTION 6  
 TOWN 4 SOUTH, RANGE  
 11 EAST & POINT OF  
 COMMENCEMENT

$S89^{\circ}41'05''E(R)$   
 $S89^{\circ}39'35''E(M)$   
 $1350.00'(R)$   
 $1350.25'(M)$



I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND HEREIN PLATTED AND DESCRIBED AND THAT THE RATIO OF CLOSURE MEETS THE REQUIREMENTS OF PUBLIC ACT 132 OF 1970.

*Anthony T. Sycko, Jr.*  
 ANTHONY T. SYCKO, JR., P.S. NO. 47976



**KEM-TEC & ASSOCIATES**

22556 GRATIOT AVE. EASTPOINTE, MI 48021  
 PROFESSIONAL SURVEYORS - PROFESSIONAL ENGINEERS  
 (586)772-2222 \* FAX (586)772-4048

CERTIFIED TO: ERM	
FIELD SURVEY: MP MV	DATE: OCTOBER 13, 2015
DRAWN BY: JL	SHEET: 1 OF 2
SCALE: 1" = 100'	JOB NO.: 14-03700

### EXHIBIT 3

#### CONTAMINANTS ABOVE CRITERIA IN SOILS

The following hazardous substances are present in the soil at the Property at concentrations above a potentially applicable Michigan Part 201 Generic Cleanup Criteria considered protective of human health, safety, and welfare:

<u>CONTAMINANTS</u>	<u>CAS NUMBER</u>	<u>POTENTIALLY APPLICABLE CRITERIA (in µg/Kg)</u>	<u>SAMPLE LOCATION* (DEPTH INTERVAL) / CONCENTRATION (in µg/Kg)</u>
Arsenic	7440-38-2	11,700 (a)	Boring 2 (2-4') / 16,000
Ethylbenzene	100-41-4	360 (b)	Boring 147 (9-10') / 370 Boring 163 (4-5') / 830
1,4-Dichlorobenzene	106-46-7	360 (b)	Boring 164 (4-5') / 390
Tetrachloroethene (PCE)	127-18-4	1,200 (b)	Boring 30 (4-6') / 12,000 Boring 81 (4-6') / 19,000 Boring 144 (4-5') / 20,000 Boring 144 (10-11') / 3,100 Boring 144 (12-13') / 8,800 Boring 147 (9-10') / 1,800 Boring 149 (7-8') / 3,900 Boring 150 (7-8') / 1,500 Boring 152 (7-8') / 2,700 Boring 153 (7-8') / 4,300 Boring 174 (10-11') / 6,100 Boring 175 (7-8') / 3,200
1,1,1-Trichloroethane	71-55-6	1,800 (b)	Boring 147 (9-10') / 2,700
Trichloroethene (TCE)	79-01-6	4,000 (b) 1,900 (c)	Boring 147 (9-10') / 14,000 Boring 144 (12-13') / 3,000
1,2,4-Trimethylbenzene	95-63-6	570 (b)	Boring 147 (9-10') / 12,000
1,3,5-Trimethylbenzene	108-67-8	1,100 (b)	Boring 147 (9-10') / 3,400
Xylenes (Total)	133-02-07	820 (b)	Boring 163 (4-5') / 880

**Notes:**

\*Sample locations are shown on Exhibit 3 – Map #1. Depth intervals are in feet below the original plant floor elevation of approximately 595 feet AMSL. The sample results are also listed in Table 4 (metals) and Table 5 (VOCs) of the August 2018 CMI Report.

(a) Site-specific background arsenic level (which is greater than 4,600 µg/Kg Groundwater-Surface Water Interface Protection criterion.

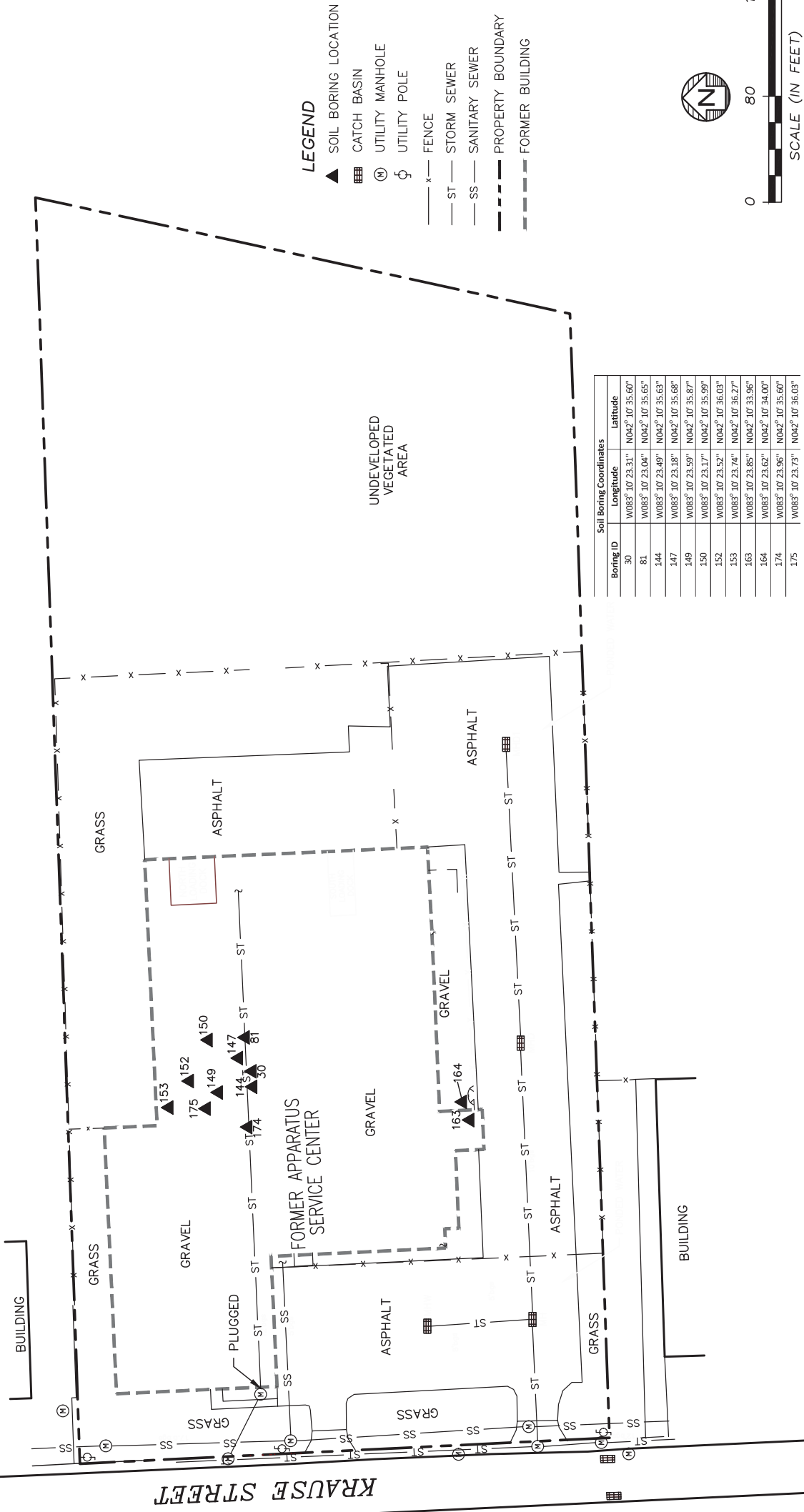
(b) Part 201 Groundwater-Surface Water Interface Protection criteria.

(c) Part 201 Soil Volatilization to Indoor Air Inhalation criteria.

µg/Kg = micrograms per kilogram - dry weight corrected

# EXHIBIT 3 – MAP #1

LOCATIONS OF BORINGS WITH CONTAMINANTS ABOVE CRITERIA IN SOIL



Drawn By  
GML/EMF  
CADD Review  
RMK  
Date Drawn/Rev'd  
2/24/12-10/3/17



**GENERAL ELECTRIC**  
FORMER APPARATUS SERVICE CENTER  
18075 KRAUSE STREET, RIVERVIEW, MICHIGAN

CHK'D  
MR  
0278008  
EXHIBIT 3

Environmental Resources Management

### EXHIBIT 3 - CONTAMINANTS ABOVE CRITERIA IN GROUNDWATER

#### Contaminants Above Potentially Applicable Michigan Part 201 Criteria

The following hazardous substances are present in the groundwater at the Property at concentrations above a potentially applicable Michigan Part 201 Generic Cleanup Criteria considered protective of human health, safety, and welfare:

<u>CONTAMINANTS</u>	<u>CAS NUMBER</u>	<u>POTENTIALLY APPLICABLE CRITERIA* in µg/L</u>	<u>SAMPLE LOCATION**/ CONCENTRATION in µg/L</u>
Tetrachloroethene (PCE)	127-18-4	60	MW-B / 99 MW-C / 2,500 VP-8 / 560
Trichloroethene (TCE)	79-01-6	200	MW-C / 900 VP-8 / 3,000
cis-1,2-Dichloroethene	156-59-2	620	VP-8 / 1,800
Vinyl chloride	75-01-4	13	MW-A / 470 MW-B / 230 MW-C / 75 OW5 / 20
1,1-Dichloroethane	75-34-3	740	MW-A / 900 MW-C / 1,000
Xylene	100-41-4	41	MW-A / 104
Total PCB	133-63-63	0.2	MW-A / 92

**Notes:**

\*Potentially applicable criteria listed are from Michigan's Part 201 Generic Cleanup Criteria screening levels effective December 30, 2013. For each contaminant, the criterion shown is the screening level for Groundwater-Surface Water Interface. Use of the more conservative drinking water criteria (not shown) is not applicable due to site's approved Ground Water Not In An Aquifer (GWNIAA) status.

\*\*Sample locations are former monitoring wells shown on Exhibit 3 – Map #2. The sample results are also listed in Table 11 and Appendix F-Table1 of the August 2018 CMI Report.

All the former monitoring wells at the Property were screened in the uppermost water-bearing zone within 10 feet of the ground surface. All monitoring wells were plugged and abandoned in 2018 or earlier.

µg/L = micrograms per liter

**Contaminants Above MDEQ's Media-Specific Volatilization to Indoor Air Recommended Interim Action Screening Levels (RIASLs)**

The following hazardous substances are present in the groundwater at the Property at concentrations that have the potential to volatilize into indoor air above levels that are considered protective of human health, safety, and welfare:

<u>CONTAMINANTS</u>	<u>CAS NUMBER</u>	<u>POTENTIALLY APPLICABLE CRITERIA* in µg/L</u>	<u>SAMPLE LOCATION**/ CONCENTRATION in µg/L</u>
Tetrachloroethene (PCE)	127-18-4	4.4	MW-A / 17 MW-B / 99 MW-C / 2,500 MW-2 / 22 MW-12 / 26 MW-13 / 38 VP-7 / 8.6 VP-8 / 560
Trichloroethene (TCE)	79-01-6	0.21	MW-A / 120 MW-B / 34 MW-C / 900 MW-2 / 11 MW-12 / 11 MW-13 / 36 VP-7 / 24 VP-8 / 3,000
cis-1,2-Dichloroethene	156-59-2	5.8	OW5 / 15.5 OW6 / 68 OW8 / 33.4 VP-5 / 3.7 *** VP-7 / 5.5 VP-8 / 1,800
Vinyl chloride	75-01-4	1.8	MW-A / 470 MW-B / 230 MW-C / 75 OW5 / 20
1,1-Dichloroethane	75-34-3	14	MW-A / 900 MW-B / 220 MW-C / 1,000 MW-2 / 150 MW-12 / 26 OW2 / 22 OW6 / 20.1 OW8 / 31.9 VP-5 / 4.7 ***

Ethylbenzene

100-41-4

8.5

MW-A / 17

**Notes:**

\*Potentially relevant site-specific criteria listed are from MDEQ's Media-Specific Volatilization to Indoor Air Recommended Interim Action Screening Levels (RIASLs) for nonresidential exposure to shallow groundwater, dated August 2017.

\*\*Sample locations are former monitoring wells shown on Exhibit 3 – Map #2. The sample results are also listed in Table 11 and Appendix F-Table1 of the August 2018 CMI Report.

\*\*\*Concentration is above the RIASL for residential exposure to shallow groundwater screening level, but not above the more relevant nonresidential exposure screening level. The sample location / concentration is provided in this exhibit because it was specifically requested by DEQ in a letter to GE dated June 12, 2018.

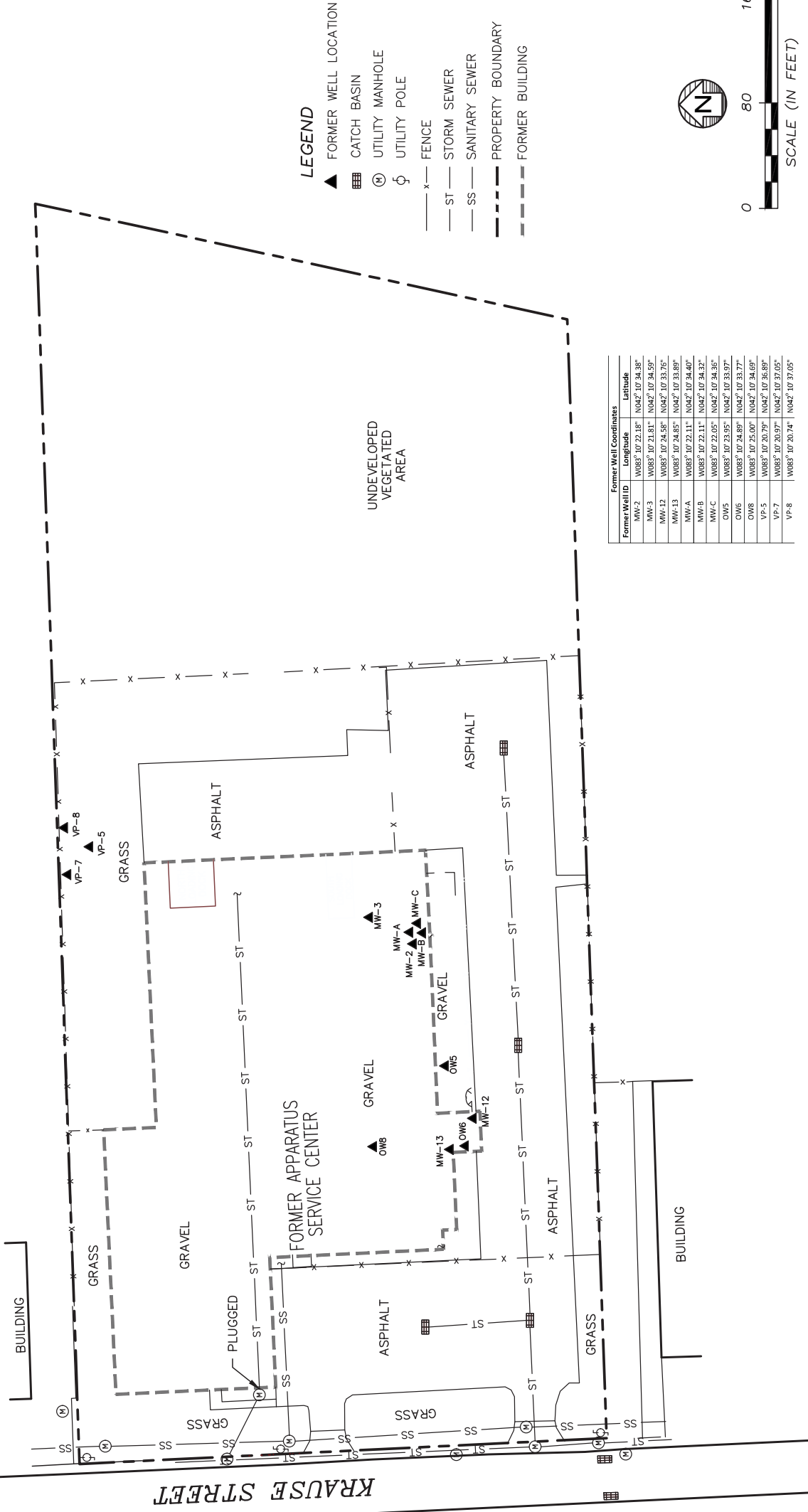
When active, all of the former monitoring wells at the Property were screened in the uppermost water-bearing zone, within 10 feet of the ground surface. All monitoring wells were plugged and abandoned in 2018, or earlier.

$\mu\text{g/L}$  = micrograms per liter

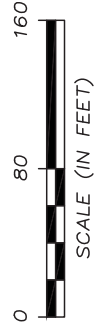


# EXHIBIT 3 – MAP #2

LOCATIONS OF FORMER WELLS WITH CONTAMINANTS ABOVE CRITERIA IN GROUNDWATER



- LEGEND**
- ▲ FORMER WELL LOCATION
  - ▢ CATCH BASIN
  - ⊕ UTILITY MANHOLE
  - ⊙ UTILITY POLE
  - x — FENCE
  - ST — STORM SEWER
  - SS — SANITARY SEWER
  - — — PROPERTY BOUNDARY
  - — — FORMER BUILDING



Former Well ID	Longitude	Latitude
MW-2	W083° 10' 22.18"	N042° 10' 34.38"
MW-3	W083° 10' 21.81"	N042° 10' 34.59"
MW-12	W083° 10' 24.55"	N042° 10' 33.76"
MW-13	W083° 10' 24.85"	N042° 10' 33.89"
MW-A	W083° 10' 22.11"	N042° 10' 34.40"
MW-B	W083° 10' 22.11"	N042° 10' 34.32"
MW-C	W083° 10' 22.05"	N042° 10' 34.35"
OW5	W083° 10' 23.95"	N042° 10' 33.97"
OW6	W083° 10' 24.89"	N042° 10' 33.77"
OW8	W083° 10' 25.00"	N042° 10' 34.69"
VP-5	W083° 10' 20.79"	N042° 10' 35.89"
VP-7	W083° 10' 20.97"	N042° 10' 37.05"
VP-8	W083° 10' 20.74"	N042° 10' 37.05"

Drawn By	GML/EMF
CADD Review	RMK
Date Drawn/Rev'd	2/24/12-10/3/17



**GENERAL ELECTRIC**  
 FORMER APPARATUS SERVICE CENTER  
 18075 KRAUSE STREET, RIVERVIEW, MICHIGAN

CHK'D	MR
	0278008
	EXHIBIT 3

## Environmental Resources Management

## EXHIBIT 4

### DESCRIPTION OF ALLOWABLE USES

Nonresidential Land Use: This land use is characterized by any use which is not residential in nature and is primarily characterized by industrial and commercial uses. Industrial uses typically involve manufacturing operations engaged in processing and manufacturing of materials or products. Other examples of industrial uses are utility companies, industrial research and development, and petroleum bulk storage. Commercial uses include any business or income-producing use, such as commercial warehouses, lumber yards, retail gas stations, auto dealerships and service stations, as well as, office buildings, banks, and medical/dental offices (not including hospitals). Commercial uses also include retail businesses whose principal activity is the sale of food or merchandise within an enclosed building and personal service establishments which perform services indoors, such as health clubs, barber/beauty salons, photographic studios, etc.

Any residential use is specifically prohibited from the non-residential land use category. This would include the primary use of the property for human habitation and includes structures such as single family dwellings, multiple family structures, mobile homes, condominiums, and apartment buildings. Any uses which are intended to house, educate, or provide care for children, the elderly, the infirm, or other sensitive populations, and therefore could include day care centers, educational facilities, hospitals, elder care facilities, and nursing homes, may not fit the nonresidential exposure assumptions. Residential or site specific environmental protection standards may need to be considered. The use of any accessory building or portion of an existing building as a dwelling unit permitted for a proprietor or storekeeper and their families, located in the same building as their place of occupation, or for a watchman or caretaker is also prohibited. Any authority that allows for residential use of the Property as a legal non-conforming use is also restricted per the prohibitions contained in this restrictive covenant.