

6/23/99



**SQUARE D COMPANY**  
GROUPE SCHNEIDER

EXECUTIVE OFFICES  
1415 SOUTH ROSELLE ROAD, PALATINE, IL 60067-7399 847-397-2600 FAX 847-925-7500

June 23, 1999

Ms. Kathy San Miguel  
Southern California Permitting Branch  
California EPA  
Dept. of Toxic Substances Control  
5796 Corporate Avenue  
Cypress, CA 90630

Dear Ms. San Miguel:

Per our conversation on June 22, 1999 regarding the Square D Post Closure Permit, please note the following attachments:

- A copy of the fully executed Deed Restriction for Lot B, the Square D Facility, recorded on January 26, 1999
- A copy of the Deed Restriction for the North Post Closure Area recorded on November 7, 1995
- A copy of the legal descriptions for Lots A & B separating the Closure Area from the building

Please feel free to call me at 847-925-3203 should you have any comments or questions.

Sincerely,

Gladys M. Thomas  
Manager, Environmental Affairs

GMT:mkb

Enclosures

cc: R.C. Widdowson, Square D

JAN 26 1999

Recorded:  
SQUARE D CO.  
By: J.A. McGilvray PLS  
624 W. Pendleton Rd  
Banning, CA.

COVENANT TO RESTRICT USE OF PROPERTY  
ENVIRONMENTAL RESTRICTION

Recorded in Official Records of Riverside County, California

Recorder 75

(Re: County of Riverside, Assessor's Parcel Number 418-170-005 and 418-182-013 (Lot B), Square D Facility.)

This covenant and Agreement ("Covenant") is made by and between Square D Company (the "Covenantor"), the current owner of certain property situated in Beaumont, County of Riverside, State of California, described in Exhibit "A" (legal description of Lot B), attached hereto and incorporated herein by this reference (the "Property"), and the Department of Toxic Substances Control (the "Department"). Pursuant to Civil Code section 1471 C, the Department has determined that this Covenant is reasonably necessary to protect present or future human health or safety or the environment as a result of the presence on the land of hazardous materials as defined in Health and Safety Code (H&SC) section 25260. The Covenantor and the Department, collectively referred to as the "Parties", therefore intend that the use of the Property be restricted as set forth in this Covenant, in order to protect human health, safety and the environment.

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ARTICLE I  
STATEMENT OF FACTS

1.01 The Property, totaling approximately 12.260 acres is more particularly described and depicted in Exhibit A, attached hereto and incorporated herein by this reference. The Property is located in the area now generally bounded by on the North by the Southern Pacific Railroad right of way, on the east by Pennsylvania Avenue, on the South by Third Street, and on the west by a parcel not owned by Covenantor, in the City of Beaumont, County of Riverside, State of California. This property is more specifically described as Riverside County Assessor's Parcel No: 418-170-005 and 418-182-013.

1.02 (a). The Department provided regulatory oversight during the RCRA Corrective Action (CA) activities for the Main Plant Building, including but not limited to, other onsite areas and surrounding offsite areas. The CA activities consisted of soil and groundwater sampling, removal of soil containing hazardous substances subject to the requirements of the California Hazardous Waste Control Law (HWCL), at Health and Safety Code (H&S Code) section 25100 et seq., and the federal Resource Conservation and Recovery Act (RCRA), at 42 U.S.C. section 6901 et seq. Pursuant to the closure requirements of the HWCL, including H&S Code section 25246 and post-closure notices provisions of Title 22 California Code of Regulations section 65264.119 (b) the Department is requiring this Covenant as part

of the facility closure. The Department circulated a Corrective Measures Study, which contained a Final Health Risk Assessment and/or Remedial Goals, together with a draft Negative Declaration pursuant to the California Environmental Quality Act, Public Resources Code section 21000 et seq for public review and comment. The Department approved the Corrective Measures Study with associated Health Risk Assessment together with the Negative Declaration in March 1995.

Pursuant to these documents, remediation work began at the facility in January, 1995. Excavated soil from the remediation was stockpiled on the Property, profiled for RCRA metals, where necessary, stabilized on-site, as required to meet Land Disposal Restrictions, and transported by rail to a permitted Non RCRA landfill in Utah.

1.03 As detailed in the Final Corrective Measures Implementation Completion Report as approved by the Department on March 13, 1996 and the Final Health Risk Assessment as approved by the Department on June 8, 1998, a portion of the surface and subsurface soils within 10 feet of the surface of the Property contain hazardous materials, as defined in H&S Code section 25117 and 25260, which include one or more of the following metals in the ranges set forth below: arsenic ( $\leq 7$  parts per million (ppm)), lead ( $\leq 1600$  ppm), nickel ( $\leq 2,769$  ppm), hexavalent chromium ( $\leq 36$  ppm), and zinc ( $\leq 41,538$  ppm). Some portions of the building (slabs on grade or footings) may also contain hazardous material. In addition, pH in soils remaining on the site range from 3.5 to 12.1.

ARTICLE II  
DEFINITIONS

2.01 Department. "Department" shall mean the California Department of Toxic Substances Control and shall include its successor agencies, if any.

2.02 Owner. "Owner" shall mean the Covenantor, its successors in interest, and their successors in interest, including heirs and assigns, who at any time hold title to all or any portion of the Property.

2.03 Occupant. "Occupant" shall mean Owners and any person or entity entitled by ownership, leasehold, or other legal relationship to the right to occupy any portion of the Property.

ARTICLE III  
GENERAL PROVISIONS

3.01 Restrictions to Run With the Land. This Covenant sets forth protective provisions, covenants, restrictions, and conditions (collectively referred to as "Restrictions"), upon and subject to which the Property and every portion thereof shall be improved, held, used, occupied, leased, sold, hypothecated, encumbered, and/or conveyed. Each and every one of the Restrictions: (a) shall run with the land pursuant to H&SC sections 25202.5, and 25202.6 and Civil Code section 1471; (b) shall inure to the benefit of and pass with each and every portion of the Property, (c) shall apply to and bind the respective successors in interest to the Property, (d) are for the benefit of, and shall be enforceable by the Department, and (e) are imposed upon the entire Property unless expressly stated as applicable only to a specific portion thereof.

3.02 Binding Upon Owners/Occupants. Pursuant to Health and Safety Code section 25202.5(b), this Covenant shall be binding upon all of the owners of the land, their heirs, successors, and assignees, and the agents, employees, and lessees of the owners, heirs, successors, and assignees. Pursuant to Civil Code section 1471 (b), all successive owners of the Property are expressly bound hereby for the benefit of the Covenantee(s) herein. "Owner" shall include "Covenantor".

3.03 Written Notice of Hazardous Substance Release. The Owner shall, prior to the sale, lease, or rental of the Property, give a copy of this Covenant to prospective Purchaser(s) or Lessee(s).

3.04 Conveyance of Property. Covenantor agrees that the Owner shall provide notice to the Department not later than thirty (30) days after any conveyance of any ownership interest in the Property (excluding mortgages, liens and other non-

possessory encumbrances). The Department shall not, by reason of this covenant, have authority to approve, disapprove, or otherwise affect such proposed conveyance, except as otherwise provided by law, by administrative order, or specific provision of this Covenant.

ARTICLE IV  
RESTRICTIONS

4.01 Prohibited Uses. The Property shall not be used for any of the following purposes:

- (a) A residence, including any mobile home or factory built housing, constructed or installed for use as residential human habitation.
- (b) A hospital for humans.
- (c) A public or private school for persons under 21 years of age.
- (d) A day care center for children.

4.02 Access for Department. Covenantor agrees that the Department shall have reasonable right of entry and access to the Property for inspection, monitoring, and other activities consistent with the purposes of this Covenant as deemed necessary by the Department in order to protect the public health and safety.

ARTICLE V  
ENFORCEMENT

5.01 Enforcement. Failure of the Covenantor and/or Owner to comply with any of the Restrictions specifically applicable to it shall be grounds for the Department, by reason of this Covenant, to require that the Covenantor and/or Owner modify or remove any improvement ("Improvements" herein shall mean all buildings, roads, driveways, and paved parking areas, constructed or placed upon any portion of the Property constructed in violation of the Restrictions). Violation of this Covenant shall be grounds for the Department to file civil and/or criminal actions against the Covenantor and/or Owner as provided by law.

ARTICLE VI  
VARIANCE, TERMINATION, AND TERM

6.01 Variance. Any Owner or, with the Owner's written consent, any Occupant of the Property or any portion thereof may apply to the Department for a written variance from the provisions of this Covenant. Such application shall be made in accordance with H&S Code section 25202.6.

6.02 Termination. Any Owner, and/or, with the Owner's written consent, any Occupant of the Property, or any portion thereof, may apply to the Department for a termination of the Restrictions or other terms of this covenant as they apply to all or any portion of the Property. Such application shall be made in accordance with H&S Code Section 25202.6.

6.03 Term. Unless ended in accordance with the Termination Paragraph above, by law, or by the Department in the exercise of its discretion, this covenant shall continue in effect in perpetuity.

ARTICLE VII  
MISCELLANEOUS

7.01 No Dedication Intended. Nothing set forth in this Covenant shall be construed to be a gift or dedication, or offer of a gift or dedication, of the Property, or any portion thereof to the general public or anyone else for any purposes whatsoever.

7.02 Department References. All references to the Department include successor agency/successor department or other successor entities.

7.03 Recordation. The Covenantor shall record this Covenant, with all referenced Exhibits, in the County of Riverside within ten (10) days of the Covenantor's receipt of a fully executed original.

7.04 Notices. Whenever any person gives or serves any notice ("Notice" as used herein includes any demand or other communication with respect to this Covenant), each such Notice shall be in writing and shall be deemed effective: three (3) business days after deposit in the mail, if mailed by United States mail, postage paid, certified, return receipt requested:

To Owner:

Safety, Health and Environmental Department  
Square D Company  
1415 South Roselle Road  
Palatine, IL 60067

To Department: Jose Kou, Chief  
Department of Toxic Substances Control  
Southern California Permitting Branch  
1011 North Grandview Avenue  
Glendale, California 91201

Any party may change its address or the individual to whose attention a Notice is to be sent by giving written Notice in compliance with this paragraph.

7.05 Partial Invalidity. If any portion of the Restrictions or other term set forth herein is determined by a court of competent jurisdiction to be invalid for any reason, the surviving portions of this Covenant shall remain in full force and effect as if such portion found invalid had not been included herein.

IN WITNESS WHEREOF, the Parties execute this Covenant.

"Covenantor"

Date: January 20, 1999

By: Howard E. Japlon  
Howard E. Japlon  
Assistant General Counsel,  
Assistant Secretary  
Square D Company

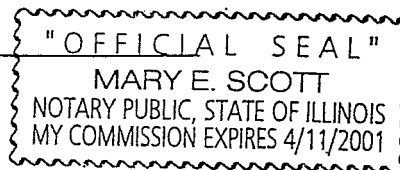
State of Illinois  
County of Cook <sup>41</sup>

On this 20 day of January, 1999, before me personally came Howard Japlon, to me known, who being by me duly sworn, did despose and say that he is employed by Square D Company, 1415 S. Roselle Road, Palatine, Illinois, that he is the Assistant General Counsel, Assistant Secretary of the corporation described in and which executed the above instrument.

Notary Public

Mary E. Scott

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



"Department"

Date: 1/22/99

By: Karen Baker, Branch Chief  
Karen Baker,  
Branch Chief

Department of Toxic  
Substances Control



AMENDED AND RESTATED  
NOTIFICATION OF LAND USE AND RESTRICTIONS

The property presently owned by Square D Company, successor in interest to Yates Industries, Inc., and conveyed to Circuit Foil Corporation, whose name was subsequently changed to Yates Industries, Inc., by deed dated November 22, 1968 recorded with the County Clerk and Recorder, Riverside County, on January 2, 1969 as Document number 147, contains hazardous waste disposal units located as shown on the accompanying Exhibit A. The units were closed between December 1987 and August 22, 1980 in accordance with the requirements of the Resource Conservation and Recovery Act (RCRA) as codified in 40 CFR 265 Subpart G. The units are in post closure care for a period of 30 years following closure. All post closure care activities must be in accordance with the existing post closure plan dated May, 1986 and any amendments thereto. Post closure care restricts the use of the property so as never to disturb the integrity of the final cover, liner or any components of the containment system. Regular monitoring, reporting, and maintenance activities must also be performed in accordance with the post closure plan requirements.

The thirty (30) year post closure care period may be shortened or extended as provided in Title 26, Division 22 of the California Code of Regulations, Section 66264.117. Use of the post closure care area shall be in accordance with the limitation and notification requirements described in 26 CCR 66264.117d.

This document replaces and supercedes the Amended And Restated Notification Of Land Use And Restrictions dated November 6, 1995, recorded with the County Clerk and Recorder, Riverside County, on November 7, 1995 as Document #95-372982 which is hereby terminated and of no further effect.

Respectfully submitted,

SQUARE D COMPANY

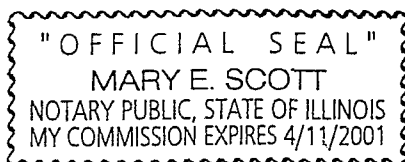
By: W. W. Kurczewski  
W. W. Kurczewski  
Vice President, General Counsel & Secretary

(SEAL)

State of Illinois )

County of Cook )

This document was acknowledged before me on January 15, 1999 by W. W. Kurczewski, Vice President, General Counsel & Secretary of Square D Company.



Mary E. Scott  
Notary Public

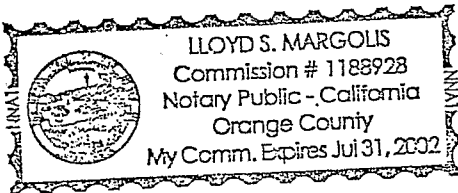
State of CALIFORNIA

County of ORANGE



On 22, JANUARY 1999 before me, LLOYD S. MARGOLIS,  
DATE NAME OF NOTARY PUBLIC  
personally appeared, KAREN BAKER,  
NAME(S) OF SIGNER(S)

personally known to me- or  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is / are subscribed to the within instrument and acknowledged to me that he / she / they executed the same in his / her / their authorized capacity (ies), and that by his / her / their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Witness my hand and official seal.

Lloyd S. Margolis  
SIGNATURE OF NOTARY PUBLIC

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and prevents fraudulent reattachment of this form.

Type or Title of Document

COVENANT TO RESTRICT USE OF PROPERTY - ENVIRONMENTAL RESTRICTION  
TITLE OR TYPE OF DOCUMENT

Number of pages: 7

Date of Document: 1/22/99

Signer(s) Other Than Named Above:

Right Thumb Print, Optional

Right Thumb Print, Optional

Capacity Claimed By Signer(s)

- Individual(s)
- Corporate

BRANCO CHIEF  
TITLE(S)

- Partner(s) .....  General
- .....  Limited

- Attorney-in-Fact
- Guardian/Conservator
- Trustee(s)
- Other: \_\_\_\_\_

Signer is Representing:

\_\_\_\_\_  
Name(s) of Person(s) or Entity(ies)

Exhibit "A"

98-LLA-7

LOT "A"

BEING A DIVISION OF LOTS 1 THROUGH 16, INCLUSIVE, OF BLOCK 124 AND LOTS 1 AND 2 OF BLOCK 123 OF AMENDED MAP OF THE TOWN OF BEAUMONT, PER PLAT RECORDED IN BOOK 6 OF MAPS, PAGES 16 AND 17, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA. TOGETHER WITH THOSE PORTIONS OF CHESTNUT AVENUE, FOURTH STREET, MICHIGAN AVENUE AND ALLEYS VACATED AND REVERSED TO ACREAGE BY MINUTE ORDER MADE AND ENTERED JULY 6, 1893, IN BOOK I OF SUPERVISORS MINUTES, AT PAGE 69, THEREOF, A CERTIFIED COPY RECORDED JUNE 28, 1940 IN BOOK 467, PAGE 434 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, VACATED BY RESOLUTIONS OF CITY COUNCIL OF THE CITY OF BEALIMONT, A CERTIFIED COPY RECORDED MARCH 13, 1987 AS INSTRUMENT NO. 69436 AND NOVEMBER 8, 1968 AS INSTRUMENT NO. 107599 BOTH OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, WHICH WOULD PASS BY OPERATION OF LAW WITH THE CONVEYANCE OF SAID LOTS;

ALSO EXCEPT THEREFROM ANY PORTION OF SAID LAND LYING WITHIN THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY, 200 FEET WIDE, BY UNITED STATES CONGRESSIONAL GRANT OF MARCH 3, 1871.

SAID PROPERTY LOCATED IN SECTION 10, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 16 OF BLOCK 124 IN SAID AMENDED MAP OF THE TOWN OF BEAUMONT;

THENCE PARALLEL WITH THE CENTER LINE OF THIRD STREET NORTH 89°46'20" WEST, TO A POINT ON THE CENTERLINE OF THE VACATED CHESTNUT AVENUE, A DISTANCE OF 40.00 FEET;

THENCE NORTH 00°12'00" EAST, ALONG THE CENTERLINE OF VACATED CHESTNUT AVENUE, A DISTANCE OF 531.20 FEET TO A POINT ON THE SOUTH LINE OF THE 200 FOOT SOUTHERN PACIFIC RAILROAD RIGHT OF WAY;

SAID POINT BEING ON A CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 1809.91 FEET; A RADIAL BEARING TO SAID POINT BEARS SOUTH 00°31'15" EAST; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°46'10" AND AN ARC DISTANCE OF 87.48 FEET, SAID LINE BEING THE SOUTH LINE OF SAID 200 FEET WIDE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY;

THENCE CONTINUING ALONG THE SOUTH LINE OF THE SAID SOUTHERN PACIFIC RAILROAD RIGHT OF WAY, SOUTH 87°45'05" EAST, A DISTANCE OF 122.58 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID RIGHT OF WAY SOUTH 87°45'05" EAST, A DISTANCE OF 331.78 FEET;

THENCE SOUTH 01°49'28" WEST, A DISTANCE OF 43.61 FEET;

THENCE SOUTH 88°02'37" EAST, A DISTANCE OF 5.40 FEET;

THENCE SOUTH 02°00'00" WEST, A DISTANCE OF 46.32 FEET;

THENCE SOUTH 88°00'00" EAST, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 02°00'00" WEST, A DISTANCE OF 10.00 FEET;

THENCE NORTH 88°00'00" WEST, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 02°00'00" WEST, A DISTANCE OF 34.83 FEET;

THENCE NORTH 87°35'55" WEST, A DISTANCE OF 8.30 FEET;

THENCE SOUTH 02°24'07" WEST, A DISTANCE OF 59.46 FEET;

THENCE NORTH 87°30'19" WEST, A DISTANCE OF 97.75 FEET;

THENCE SOUTH 02°00'46" WEST, A DISTANCE OF 131.59 FEET;

THENCE NORTH 87°59'16" WEST, A DISTANCE OF 230.84 FEET;

THENCE NORTH 02°00'14" EAST, A DISTANCE OF 326.29 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.186 ACRES.

TOGETHER WITH A NON EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AND UTILITIES IN AND OVER A 40 FT. WIDE STRIP OF LAND LYING EASTERLY AND ADJACENT TO THE WEST LINE OF LOT "B" OF THIS LOT LINE ADJUSTMENT; AND THE NORTHERLY 40 FT. OF THE WESTERLY 210.00 FT. OF SAID LOT "B".

SEE ATTACHED EASEMENT FOR FULL DESCRIPTION.

Exhibit "A"

98-LLA-7

LOT "B" Legal

BEING A DIVISION OF LOTS 1 THROUGH 16, INCLUSIVE, BLOCK 124 AND LOTS 1 AND 2 OF BLOCK 123 AND LOTS 1 AND 2 OF BLOCK 122, OF AMENDED MAP OF THE TOWN OF BEAUMONT, PER PLAT RECORDED IN BOOK 6 OF MAPS, PAGES 16 AND 17, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA. TOGETHER WITH THOSE PORTIONS OF MICHIGAN AVENUE, MASSACHUSETTS AVENUE AND ALLEYS VACATED AND REVERSED TO ACREAGE BY MINUTE ORDER MADE AND ENTERED JULY 6, 1893, IN BOOK 1 OF SUPERVISORS MINUTES, AT PAGE 69, THEREOF, A CERTIFIED COPY RECORDED JUNE 28, 1940 IN BOOK 467 PAGE 434 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, VACATED BY RESOLUTIONS OF CITY COUNCIL OF THE CITY OF BEAUMONT, CERTIFIED COPIES RECORDED DECEMBER 23, 1968 AS INSTRUMENT NOS. 124682 AND 124683 AND RECORDED NOVEMBER 8, 1968 AS INSTRUMENT NOS. 107599, 107600 AND 107601 ALL OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, WHICH WOULD PASS BY OPERATION OF LAW WITH THE CONVEYANCE OF SAID LOTS;

EXCEPT THE SOUTH 40.00 FEET OF LOT 2 IN BLOCK 122;

EXCEPT THE SOUTH 40.00 FEET OF LOT 2 IN BLOCK 123;

ALSO EXCEPT THEREFROM ANY PORTION OF SAID LAND LYING WITHIN THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY, 200 FEET WIDE, BY UNITED STATES CONGRESSIONAL GRANT OF MARCH 3, 1871. SAID PROPERTY LOCATED IN SECTION 10, TOWNSHIP 3 SOUTH, RANGE 1 WEST SAN BERNARDINO BASE AND MERIDIAN AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 2 IN BLOCK 122 OF SAID AMENDED MAP OF THE TOWN OF BEAUMONT;

THENCE NORTH 00°1'3'48" EAST, ALONG THE EAST LINE OF SAID LOT 2 IN BLOCK 122, A DISTANCE OF 40.00 FEET TO THE TRUE POINT OF BEGINNING.

THENCE PARALLEL WITH THE SOUTH LINE OF SAID LOT 2 NORTH 89°46'20" WEST, A DISTANCE OF 1229.98 FEET TO A POINT ON THE CENTER LINE OF SAID VACATED CHESTNUT STREET.

THENCE NORTH 00°12'00" EAST, ALONG THE CENTERLINE OF VACATED CHESTNUT AVENUE, A DISTANCE OF 531.20 FEET TO A POINT ON THE SOUTH LINE OF SAID 200 FOOT WIDE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY;

SAID POINT BEING ON A CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 1809.91 FEET; A RADIAL BEARING TO SAID POINT BEARS SOUTH 00°31'15" EAST; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 2°46'10" AND AN ARC DISTANCE OF 87.48 FEET, SAID LINE BEING THE SOUTH LINE OF THE 200 FEET SOUTHERN PACIFIC RAILROAD RIGHT OF WAY;

THENCE CONTINUING ALONG THE SOUTH LINE OF THE SAID SOUTHERN PACIFIC RAILROAD RIGHT OF WAY SOUTH 87°45'05" EAST, A DISTANCE OF 122.58 FEET;

THENCE SOUTH 02°00'14" WEST, A DISTANCE OF 326.29 FEET;

THENCE SOUTH 87°59'16" EAST, A DISTANCE OF 230.84 FEET;

THENCE NORTH 02°00'46" EAST, A DISTANCE OF 131.59 FEET;

THENCE SOUTH 87°30'19" EAST, A DISTANCE OF 87.75 FEET;

THENCE NORTH 02°24'07" EAST, A DISTANCE OF 59.46 FEET;

THENCE SOUTH 87°35'55" EAST, A DISTANCE OF 8.30 FEET;

THENCE NORTH 02°00'00" EAST, A DISTANCE OF 34.83 FEET;

THENCE SOUTH 88°00'00" EAST, A DISTANCE OF 10.00 FEET;

THENCE NORTH 02°00'00" EAST, A DISTANCE OF 10.00 FEET;

THENCE NORTH 88°00'00" WEST, A DISTANCE OF 10.00 FEET;

THENCE NORTH 02°00'00" EAST, A DISTANCE OF 46.32 FEET;

THENCE NORTH 88°02'37" WEST, A DISTANCE OF 5.40 FEET;

THENCE NORTH 01°49'28" EAST, TO THE SOUTH LINE OF THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY, A DISTANCE OF 43.61 FEET;

THENCE SOUTH 87°45'05" EAST, ALONG THE SOUTH LINE OF SAID SOUTHERN PACIFIC RAILROAD RIGHT OF WAY, A DISTANCE OF 689.14 FEET TO A POINT ON THE EAST LINE OF BLOCK 122;

THENCE SOUTH 00°13'48" WEST, ALONG THE EAST LINE OF LOTS 1 AND 2 OF SAID BLOCK 122, A DISTANCE OF 489.91 FEET TO THE POINT OF BEGINNING.

CONTAINING 12.260 ACRES.

SUBJECT TO A GRANT OF EASEMENT TO LOT "A" OF THIS LOT LINE ADJUSTMENT; FOR INGRESS AND EGRESS AND UTILITIES IN AND OVER A 40 FT. STRIP OF LAND EASTERLY AND ADJACENT TO THE WEST LINE OF THE ABOVE DESCRIBED LOT "B" AND THE NORTHERLY 40 FT. OF THE WESTERLY 210.06 FT. OF SAID LOT "B".

SEE ATTACHED EASEMENT FOR FULL DESCRIPTION.





**SQUARE D COMPANY**  
GROUPE SCHNEIDER

EXECUTIVE OFFICES  
EXECUTIVE PLAZA, PALATINE, IL 60067-7399 708-397-2600 FAX:7

SENT VIA AIRBORNE #962 887 4743

November 21, 1995

Mr. Theodore Johnson  
State of California  
EPA Region 4  
Dept. of Toxic Subcontrol  
245 W. Broadway, Suite #350  
Long Beach, CA 90802-4444

RE: **Beaumont**

Dear Theo:

As requested, enclosed is a copy of the amended Deed Restriction which has been recorded with the county of San Bernardino. I have not received a copy from them other than the fax attached. I have, however, had this copy notarized to verify its authenticity.

Should you have any problems or questions, please feel free to contact me.

Sincerely,

Ms. Peggy Fortuna  
Manager, Corporate Real Estate

PF:sh  
Enclosure

cc: J. Willis/Square D Palatine, IL  
G. Thomas/Square D Schaumburg, IL

AIRBORNE EXPRESS. 962 887 4743		SHIPMENT NO.	SHIPMENT DA. 2-11	WEIGHT
FROM (COMPANY NAME) <i>Square D Company</i>				
ADDRESS <i>7415 S. Roselle Rd.</i>				
CITY <i>Palatine, IL</i>		STATE <i>IL</i>	ZIP CODE (REQUIRED) <i>60067</i>	
SENT BY: (NAME/DEPT.) <i>Peggy Fortuna</i>		PHONE <i>(708) 397-2600</i>		
TO (COMPANY NAME) <i>State of California, EPA Region 4</i>				
ADDRESS <i>245 W. Broadway, Suite #350</i>				
CITY <i>Long Beach, CA</i>		STATE <i>CA</i>	ZIP CODE (REQUIRED) <i>90802-4444</i>	
ATTN: (NAME/DEPT.) <i>Theodore Johnson</i>		PHONE <i>(310) 590-4962</i>		

SENDER'S COPY - REMOVE FOR YOUR RECORDS

AMENDED AND RESTATED  
NOTIFICATION OF LAND USE AND RESTRICTIONS

The property presently owned by Square D Company, successor in interest to Yates Industries, Inc. and conveyed to Circuit Foil Corporation, whose name was subsequently changed to Yates Industries, Inc., by deed dated November 22, 1968 recorded with the County Clerk and Recorder, Riverside County, on January 2, 1969 as document number 147 contains hazardous waste disposal units located as shown on the accompanying survey plat. The units were closed between December, 1987 and August 22, 1980 in accordance with the requirements of the Resource Conservation and Recovery Act (RCRA) as codified in 40 CFR 265 Subpart G. The units are in post closure care for a period of 30 years following closure. All post closure care activities must be in accordance with the existing post closure plan dated May, 1986 and any amendments thereto. Post closure care restricts the use of the property so as never to disturb the integrity of the final cover, liner or any components of the containment system. Regular monitoring, reporting, and maintenance activities must also be performed in accordance with the post closure plan requirements.

The thirty (30) year post closure care period may be shortened or extended as provided in Title 26, Division 22 of the California Code of Regulations, Section 66264.117. Use of the post closure care area shall be in accordance with the limitation and notification requirements described in 26 CCR 66264.117d.

*This document supersedes and replaces the Notification of Land Use and Restrictions dated July 7, 1989, Recorded, with the County Clerk and Recorder, Riverside County, on July 17, 1989 as document number 23601 which is hereby terminated and of no further effect.*

Respectfully submitted,

SQUARE D COMPANY

By: W. W. Kurczewski  
W. W. Kurczewski  
Vice President, General Counsel & Secretary

Chicago Title Insurance Company has recorded this instrument by request as an accommodation only and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described herein.

(SEAL)

State of IL County of Cook  
Signed before me on this 21 day  
of Nov, 1995 by W. W. Kurczewski

Notary Public Betsy Roberts

State of ILLINOIS )

County of COOK )

OFFICIAL SEAL  
BETSY N ROBERTS  
NOTARY PUBLIC, STATE OF ILLINOIS  
MY COMMISSION EXPIRES 1-2-99

This document was acknowledged before me on November 6, 1995 by W. W. Kurczewski, Vice President, General Counsel & Secretary of Square D Company.

////////////////////////////////////  
"OFFICIAL SEAL"  
Shirley R. Hogan  
Notary Public, State of Illinois  
My Commission Expires 10/08/99  
////////////////////////////////////

Shirley R. Hogan  
Notary Public

PLEASE COMPLETE THIS FORM

RECORDING REQUESTED BY:

ON 11-7-95 as No. 95-372982

Has not been compared with original.

SAN BERNARDINO COUNTY RECORDER

AND WHEN RECORDED MAIL TO:

MS. PEGGY FORTUNA  
SQUARE D COMPANY  
EXECUTIVE PLAZA  
PALATINE, IL 60067-  
7399

PG	TYPE	FEE	ST FEE	ADD HM	CY	ADD RF	PEN PR	PCOR
			5				6	
NON ST	LX	SVY	CIT-CD	TRANS TAX	NO FEE	CHRG	EXAM	

SPACE ABOVE FOR RECORDER'S USE ONLY

AMENDED AND RESTATED NOTIFICATION  
OF LAND USE RESTRICTIONS

Title of Document

THIS AREA FOR

RECORDER'S

USE ONLY

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION  
(\$3.00 Additional Recording Fee Applies)

NOTIFICATION OF LAND USE AND RESTRICTIONS JUL 24 1989

2360

The property presently owned by Yates Industries, Inc. and conveyed to Circuit Foil Corporation, whose name was subsequently changed to Yates Industries, Inc., by deed dated November 22, 1968 recorded with the County Clerk and Recorder, Riverside County, on January 2, 1969 as document number 147 contains hazardous waste disposal units located as shown on the accompanying survey plat. The units were closed between December, 1987 and August 22, 1988 in accordance with the requirements of the Resource Conservation and Recovery Act (RCRA) as codified in 40 CFR 265 Subpart G. The units are in post closure care for a period of 30 years following closure. All post closure care activities must be in accordance with the existing post closure plan dated May, 1986 and any amendments thereto. Post closure care restricts the use of the property so as never to disturb the integrity of the final cover, liner or any components of the containment system. Regular monitoring, reporting, and maintenance activities must also be performed in accordance with the post closure plan requirements.

Respectfully submitted,  
SQUARE D COMPANY

Attest: E. R. Fowler  
Assistant Secretary

By: W. W. Kurczewski  
W. W. Kurczewski  
Vice President, General Counsel  
and Secretary

Subscribed and Sworn to  
before me this 7th day  
of July, 1989.

SEAL

I, a Notary Public of the County and State aforesaid, certify that E. R. Fowler personally came before me this day and acknowledged that he is Assistant Secretary of Square D Company, a Delaware Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice President, sealed with its corporate seal and attested by him as its Assistant Secretary.

Witness my hand and official stamp or seal, this 7th day of July, 1989.

236014

Donna E. Hardy  
Notary Public

Recording Requested By: Square D Co.  
15 So. Roselle Rd.  
Alhambra, Ill.  
60067

OFFICIAL SEAL  
DONNA E. HARDY  
NOTARY PUBLIC, STATE OF ILLINOIS  
MY COMMISSION EXPIRES 2/17/93

RECEIVED FOR RECORD  
AT 8:00 O'CLOCK A.M.

JUL 17 1989  
Recorded in Official Records  
of Riverside County, California

William F. ...  
Recorder

Handwritten initials