

DEED NOTICE BK **1123** PG **848-850**

THIS DEED NOTICE ON REAL PROPERTY ("Deed Notice") is made on this 4th day of May, 2012, by Otterbein University whose address is 1 South Grove Street, Westerville, Ohio 43081 ("Declarant").

WITNESSETH:

WHEREAS, Declarant is the owner of real property more particularly described on the attached Exhibit A and identified as a 39.818 acre tract, East of Spring Road, North of County Line Road, City of Westerville, County of Delaware, State of Ohio, an eastern section of parcel number 31743304060000, with an address of Otterbein University, The Center for Equine Studies, 600 N. Spring Road, Westerville, OH 43081 ("the Property"); and

WHEREAS, the Property is subject to a Consent Decree for Implementation of Remedial Investigation and Feasibility Study filed on April 30, 2012 in the case of State of Ohio v. Otterbein University and the United States of America, United States Department of Defense, Case No.: 2:11-cv-508. A copy of the Consent Decree may be obtained by contacting Ohio EPA's Division of Environmental Response and Revitalization at the Central District Office, 50 West Town Street, Suite 700, Columbus, Ohio 43215, telephone number (614) 728-3778; and

WHEREAS, the purposes of the Consent Decree are (1) completion of a Remedial Investigation and Feasibility Study ("RI/FS") to determine the nature and extent of contamination at and migrating from the approximate 40-acre portion of the former Kilgore Manufacturing Company property ("Site") now owned by Otterbein University; (2) the reimbursement of certain Response Costs incurred and to be incurred by the State of Ohio; and (3) the resolution of the claims

EXHIBIT A

