



CERTIFICATION OF DEED NOTICE

Acme Fill Corporation, owner and operator of the hazardous waste disposal facility located at 950 Waterbird Way, Martinez, California, 94553, certifies that a notice in deed to the Facility has been recorded, as required by Title 22, CCR, Section 66264.119(b), or 66265.119(b), at the county recorder of deeds, located at 730 Las Juntas Street, Martinez, Contra Costa County, California, 94553, on April 13, 1999. A copy of the document in which the recorded notice has been placed is attached.

Signed:

Boyd M. Olney, Jr.  
Boyd M. Olney, Jr., President  
Acme Fill Corporation

Date: 4-15-99, 1999

State of California )  
) ss.  
County of Contra Costa )

On April 15, 1999, before me, KAREN K. BURROR, Notary Public, personally appeared BOYD M. OLNEY, JR., 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.



Karen K. Burror  
Notary Public

RECORDING REQUESTED BY:

ACME FILL CORPORATION

WHEN RECORDED MAIL TO:

JAMES A. PEZZAGLIA, ESQ.  
GORDON, DeFRAGA, WATROUS &  
PEZZAGLIA  
P. O. Box 630  
Martinez, CA 94553

CONTRA COSTA Co Recorder Office  
STEPHEN L. WEIR, Clerk-Recorder

DOC - 99-0100003-00

Check Number

Tuesday, APR 13, 1999 14:35:35

MIC \$1.00 | MOD \$5.00 | REC \$9.00

TCF \$4.00 |

Ttl Pd \$19.00

Nbr-0000502151

Irc/R9/1-5

A portion of APN 380-020-013

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE IN DEED

TO WHOM IT MAY CONCERN:

Acme Fill Corporation, the undersigned, of 737 Arnold Drive, Suite A-2, Martinez, California, 94553, Contra Costa County, hereby gives the following notice as required by Title 22, CCR, Section 66264.119 or 66265.119:

1. Acme Fill Corporation is, and since June 24, 1957, has been in possession of the lands described in Exhibits A and B attached hereto and made a part hereof.
2. Since June 24, 1957, Acme Fill Corporation has disposed of waste, later characterized as hazardous waste under the terms of regulations promulgated by the State of California Department of Toxic Substances Control.
3. The future use of the land described in Exhibit A is restricted under the terms of Title 22, CCR, Article 7 of Chapter 14 of Division 4.5: the post-closure use of the property must never be allowed to disturb the integrity of either the containment system or the monitoring system, unless DTSC determines that the proposed use (1) will not increase the potential threat to human health or the environment and is necessary to the proposed property use, or (2) is necessary to reduce the threat to human health or the environment. The end land use(s) will be consistent with the approved final closure and post-closure plans.

4. Any and all future purchasers of this land should inform themselves of the closure and post-closure requirements of the regulations and ascertain the amount and nature of wastes disposed of on/in the property described in Exhibits A and B.
  
5. Acme Fill Corporation has filed a survey plat with the Department of Toxic Substances Control at 700 Heinz Avenue, Berkeley, California, showing the location and dimensions of hazardous waste disposal areas and a record of the type, location and quantity of hazardous waste disposal within each area of the facility.

Boyd M. Olney, Jr.  
 Boyd M. Olney, Jr., President  
 Acme Fill Corporation

Date: APRIL 2, 1999

State of California            )  
                                           )ss  
 County of Contra Costa        )

Subscribed and sworn to before me on April 2, 1999.

SEAL:



Karen K. Burror

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of CALIFORNIA

County of CONTRA COSTA

On April 2, 1999 before me, KAREN K. BURROR, Notary Public  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared BOYD M. OLNEY, JR.  
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.

*Karen K Burror*  
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 could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

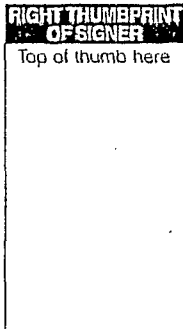
Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

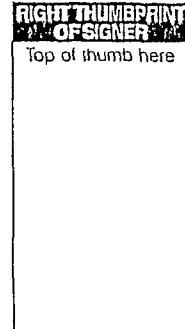
- Individual
- Corporate Officer  
Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing:  
\_\_\_\_\_  
\_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer  
Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing:  
\_\_\_\_\_  
\_\_\_\_\_

## EXHIBIT A

### Legal Description

All that real property situate in the unincorporated area of the County of Contra Costa, State of California, described as follows:

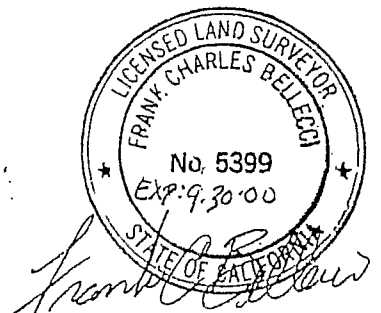
All that real property identified in the landfill closure report prepared by NJF Engineering entitled *FINAL CLOSURE CONSTRUCTION REPORT, NORTH PARCEL CLOSURE SYSTEM, ACME LANDFILL, CONTRA COSTA COUNTY, CALIFORNIA* dated March 1999 and on file with *State of California Department of Toxic Substances Control, Berkeley, California*, further described as follows:

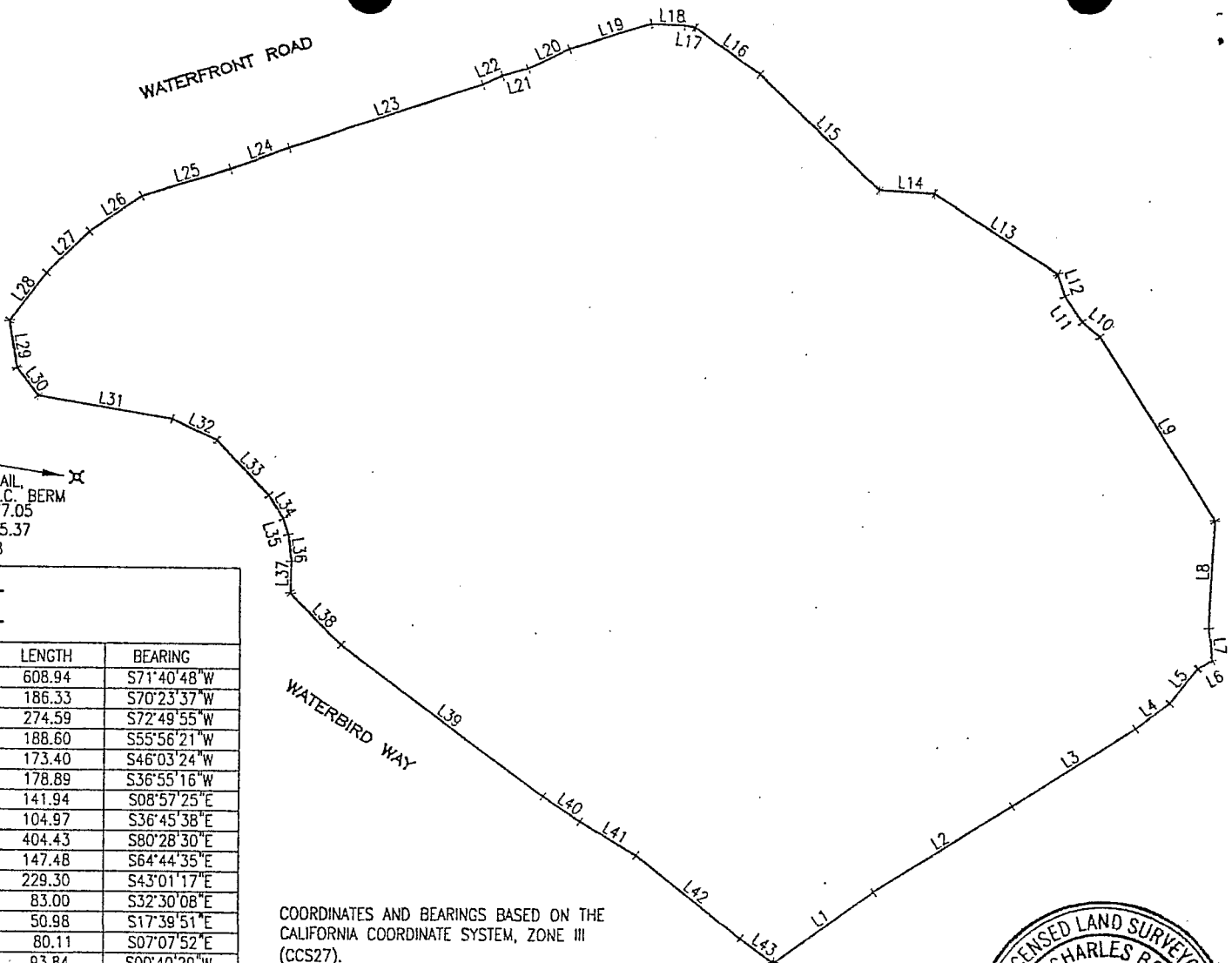
Beginning at a point with coordinate values of North 557,840 and East 1,543,645; thence from said point of beginning and along the perimeter of said NORTH PARCEL the following forty three courses: North 54°48'12" East 363.93 feet, North 57°43'50" East 487.16 feet, North 56°58'59" East 430.32 feet, North 52°16'36" East 124.52 feet, North 39°01'18" East 130.88 feet, North 60°30'34" East 48.49 feet, North 05°14'31" West 95.89 feet, North 02°33'05" East 320.23 feet, North 31°41'39" West 655.34 feet, North 50°05'17" West 68.22 feet, North 33°31'47" West 92.55 feet, North 18°42'11" West 69.64 feet, North 57°48'12" West 435.15 feet, North 87°17'23" West 164.07 feet, North 46°18'22" West 492.59 feet, North 53°36'48" West 234.22 feet, North 79°06'25" West 30.88 feet, North 87°30'06" West 97.71 feet, South 72°03'56" West 253.16 feet, South 65°06'50" West 136.42 feet, South 73°49'13" West 80.18 feet, South 65°59'17" West 63.66 feet, South 71°40'48" West 608.94 feet, South 70°23'37" West 186.33 feet, South 72°49'55" West 274.59 feet, South 55°56'21" West 188.60 feet, South 46°03'24" West 173.40 feet, South 36°55'16" West 178.89 feet, South 08°57'25" East 141.94 feet, South 36°45'38" East 104.97 feet, South 80°28'30" East 404.43 feet, South 64°44'35" East 147.48 feet, South 43°01'17" East 229.30 feet, South 32°30'08" East 83.00 feet, South 17°39'51" East 50.98 feet, South 07°07'52" East 80.11 feet, South 00°40'29" West 93.84 feet, South 44°20'52" East 212.35 feet, South 53°37'12" East 753.18 feet, South 55°17'56" East 133.22 feet, South 58°50'18" East 193.44 feet, South 51°15'45" East 394.10 feet, South 54°13'11" East 124.02 feet to the point of beginning.

Containing an area of 131 acres, more or less.

Coordinates and bearings are based on the California Coordinate System, Zone III (CCS 27). Distances given are grid distances.

F:\WPBDOCS\NORTHPL.WPD





SET PK NAIL,  
TOP OF A.C. BERM  
N 559627.26  
E 1540426.92  
ELEV=13.90

PERMANENTLY SURVEYED  
VERTICAL AND HORIZONTAL  
BENCHMARKS (TYP.)

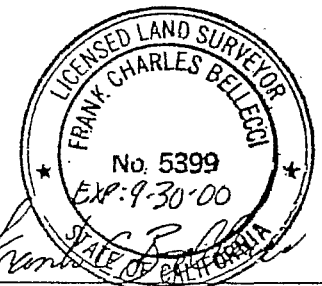
SET PK NAIL,  
TOP OF A.C. BERM  
N 559277.05  
E 1541565.37  
ELEV=7.28

### LINE TABLE

LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
1	363.93	N54°48'12"E	23	608.94	S71°40'48"W
2	487.16	N57°43'50"E	24	186.33	S70°23'37"W
3	430.32	N56°58'59"E	25	274.59	S72°49'55"W
4	124.52	N52°16'36"E	26	188.60	S55°56'21"W
5	130.88	N39°01'18"E	27	173.40	S46°03'24"W
6	48.49	N60°30'34"E	28	178.89	S36°55'16"W
7	95.89	N05°14'31"W	29	141.94	S08°57'25"E
8	320.23	N02°33'05"E	30	104.97	S36°45'38"E
9	655.34	N31°41'39"W	31	404.43	S80°28'30"E
10	68.22	N50°05'17"W	32	147.48	S64°44'35"E
11	92.55	N33°31'47"W	33	229.30	S43°01'17"E
12	69.64	N18°42'11"W	34	83.00	S32°30'08"E
13	435.15	N57°48'12"W	35	50.98	S17°39'51"E
14	164.07	N87°17'23"W	36	80.11	S07°07'52"E
15	492.59	N46°18'22"W	37	93.84	S00°40'29"W
16	234.22	N53°36'48"W	38	212.35	S44°20'52"E
17	30.88	N79°06'25"W	39	753.18	S53°37'12"E
18	97.71	N87°30'06"W	40	133.22	S55°17'56"E
19	253.16	S72°03'56"W	41	193.44	S58°50'18"E
20	136.42	S65°06'50"W	42	394.10	S51°15'45"E
21	80.18	S73°49'13"W	43	124.02	S54°13'11"E
22	63.66	S65°59'17"W			

COORDINATES AND BEARINGS BASED ON THE  
CALIFORNIA COORDINATE SYSTEM, ZONE III  
(CCS27).

N 557840.00  
E 1543645.00  
P.O.B.



## BELLECCI & ASSOCIATES, INC.

CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING  
PHONE (925) 685-4569 • FAX (925) 685-4838  
2290 DIAMOND BLVD., SUITE 100 CONCORD CA. 94520

DATE: APRIL 1999

FILE NO.: 97032\S\_PLAT2.DWG

SCALE: 1"=500'

SHEET 1 OF 1

### EXHIBIT B