

RECEIVED & RECORDED  
UNION COUNTY, N.J.

95 MAR 16 PM 3:58

JOANNE RAJOPPI  
REGISTER

Prepared by: *Lewis Goldshore*  
Return to: Lewis Goldshore, Esq.  
Goldshore, Wolf & Lewis  
2683 Main Street  
Lawrenceville, NJ 08648  
(609) 896-1660

014500

AMENDMENT TO  
DECLARATION OF ENVIRONMENTAL RESTRICTIONS

This Amendment to the Declaration of Environmental Restrictions, made as of 3<sup>rd</sup> day of MARCH, 1995, by Connelly GPM, Inc., a New Jersey corporation with principal offices at 3154 South California Avenue, Chicago, Illinois 60608, together with its successors and assigns, collectively "Owner".

WITNESSETH

WHEREAS, on May 24, 1994, Owner recorded a Declaration of Environmental Restrictions in the Union County Register's Office, in Deed Book 4105, at Page 0001 et seq. (the "Declaration"), with respect to certain real property (the "Property") designated as Block 2, Lots 98, 943 and 944 [formerly designated as Block 17, Lots 1-29, 31, 33, 35, 37 and 39] on the tax map of the City of Elizabeth, Union County, more particularly described on Exhibit A of the Declaration; and

WHEREAS, the New Jersey Department of Environmental Protection ("Department") has requested that the Declaration be amended to include a "cap maintenance plan"; and

WHEREAS, this Amendment to the Declaration is not intended to create any interest in real estate in favor of the Department, nor to create a lien or encumbrance against the Property, nor to alter in any substantive way the Declaration previously recorded, but merely is intended to provide for a cap maintenance plan as requested by the Department.

NOW, THEREFORE, Owner agrees as follows:

1. Description of Cap. The cap on the Property consists of four (4) separate areas as depicted on Exhibit B-4 of the Declaration. The areas, from west to east on said Exhibit are the following:

(a). Approximately 15,000 square feet of asphalt

DB4222-0341

SS  
D BK 4105 PG. 1

pavement, bordered by Third Avenue and South Second Street. The asphalt pavement consists of a three inch layer of new asphalt (1993) atop a base of older asphalt and stone.

(b). Approximately 44,000 square feet of reinforced concrete in the center of the Property bordered by South Second Street and Butler Street.

(c). Approximately 16,800 square feet of an existing building on a concrete slab floor situated at the corner of South Second Street and Second Avenue.

(d). Approximately 7,800 square feet of combined asphalt and concrete cover situated at the corner of Second Avenue and Butler Street.

2. **Cap Monitoring Schedule.** The Property that is subject of the Declaration is normally inspected on a weekly basis by an agent of the Owner who is in the local area. Owner will be responsible for inspecting the cap on a frequency of at least two (2) times per year. Such inspection shall consist of a complete walk-through over the entire capped area.


3. **Records of Inspections.** The record of each semi-annual inspection will be maintained by Owner at its principal place of business. The inspection log will note the following: date and time of the inspection, inspector, weather condition, general condition of the cap, areas of cap appearing to be damaged and in need of repair. Areas of the cap appearing to be damaged will be noted on a map by the inspector.


4. **Cap Maintenance.** If any repairs to the cap are necessary, Owner will make these on an annual basis. It is anticipated that during the first ten (10) years of the cap the only required repairs will be occasional asphalt patching at small damaged areas.

IN WITNESS WHEREOF, Owner has executed this Amendment as of the date first written above.

ATTEST:

CONNELLY GPM, INC.

  
\_\_\_\_\_  
LESLIE A. KLEIN,  
Secretary

By:   
\_\_\_\_\_  
STEPHEN M. KLEIN,  
President

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I certify that on MARCH 3, 1995, Leslie A. Klein personally came before me, and this person acknowledged under oath, to my satisfaction, that"

(a) this person is the Secretary of Connelly GPM, Inc., the corporation named in this document;

(b) this person is the attesting witness to the signing of this document by Stephen M. Klein, President of the corporation;

(c) this document was signed and delivered by the corporation as its voluntary act and was duly authorized;

(d) this person knows the proper seal of the corporation which was affixed to this document; and

(e) this person signed this proof to attest to the truth of these facts.

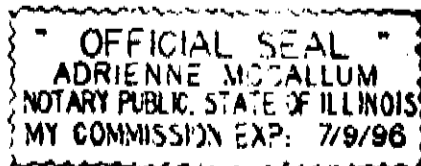


LESLIE A. KLEIN, Secretary

Signed and Sworn before me  
on MARCH 3, 1995.

*Adrienne McCallum*

Below the Signature,  
Print name and title:  
Name: ADRIENNE McCALLUM  
Title: NOTARY PUBLIC



014500

AMENDMENT TO DECLARATION OF  
ENVIRONMENTAL RESTRICTIONS

Connelly GPM, Inc.,  
a New Jersey Corporation

*Check*

Record and return to:

Lewis Goldshore, Esq.  
Goldshore, Wolf & Lewis  
2683 Main Street  
Lawrenceville, NJ 08648  
(609) 896-1660

*24.00 pgs.*

DB4222-0344

END OF DOCUMENT