

ENVIRONMENTAL COVENANT

SITE NAME: *[Insert Site Name]*

OWNER/HOLDER: *[Insert Property Owner Name]*

PROPERTY ADDRESS: *[Insert Address]*

This Environmental Covenant is executed pursuant to the provisions of Subtitle 8, Title 1 of the Environment Article, Ann. Code of Md. (2013 Repl. Vol.) This Environmental Covenant subjects the Property identified in Paragraph 1 to the activity and/or use limitations in this document. This Environmental Covenant has been approved by the Maryland Department of the Environment (“Department”).

1. **Property Affected.** The property affected (“Property”) by this Environmental Covenant is located in the *[Insert City]*, *[Insert County]*, Maryland.

The postal street address of the Property is: *[Insert Address]*.

The County Land Records Deed Reference: *[Insert Deed Reference]*.

The latitude and longitude of the center of the Property affected by this Environmental Covenant is: *[Insert Latitude]* / *[Insert Longitude]*.

The Property has been known by the following names:

- *[Insert Site Alias(es)]*

A complete metes and bounds description of the Property is attached to this Environmental Covenant as Exhibit A. A map of the Property is attached to this Environmental Covenant as Exhibit B.

2. **Property Owner/Holder.** *[Insert Property Owner]* is the owner (“Owner”) of the Property. The mailing address of the Owner is/are: *[Insert Property Owner’s Address]*. For purposes of this Environmental Covenant, the Owner shall also be a Holder.

3. **Holder/Grantee/Agency.** *[Insert Name(s) of Holder]*. For purposes of this Environmental Covenant, the Department shall also be a Holder.

4. **Regulatory Program(s) Issuing Departmental Determination.** The following regulatory program(s) within the Department is responsible for having issued a determination requiring the use of this Environmental Covenant:

- Voluntary Cleanup Program
- Controlled Hazardous Substance Enforcement Program
- Oil Control Program
- Solid Waste Program
- Resource Management Program
- Other Program within the Department:

Environmental Covenant

[address]

[tax parcel]

[deed reference]

5. **Soil Contamination.** *[brief narrative description of the contamination and remedy, including the contaminants of concern, the pathways of exposure, limits on exposure, and the location and extent of contamination]*

6. **Activity & Use Limitations.** The Property is subject to the following activity and use limitations, which the Owner and each subsequent owner of the Property shall abide by:

a. *[Insert Description of Activity & Use Limitation(s)]*

7. **Notice of Limitations in Future Conveyances.** Each instrument hereafter conveying any interest in the Property shall contain a notice of the activity and use limitations set forth in this Environmental Covenant and shall provide the recorded location of this Environmental Covenant.

8. **Access by the Department.** In addition to any rights already possessed by the Department, this Environmental Covenant grants to the Department a right of access of the Property to implement or enforce this Environmental Covenant.

9. **Recordation & Filing with Registry.** The Owner/Holder shall record this Environmental Covenant in the Land Records of [*County*] following the execution of this Environmental Covenant and shall send proof of the recording to the Department within 30 days of recordation. This Environmental Covenant shall be filed as soon as possible after execution in the Registry of Environmental Covenants maintained by the Department. This Environmental Covenant may be found electronically on MDE's website at:

www.mde.maryland.gov/programs/land/marylandbrownfieldvcp/pages/programs/landprograms/erp_brownfields/ueca.aspx

10. **Termination or Modification.** This Environmental Covenant may only be terminated or modified in accordance with §§ 1-808 or 1-809 of the Environment Article, Ann. Code of Md. (2013 Repl. Vol.).

11. **Department's Address.** Communications with the Department regarding this Environmental Covenant shall be sent to: Registry of Environmental Covenants, Maryland Department of the Environment, Land Management Administration, Land Restoration Program, 1800 Washington Blvd., Baltimore, MD 21230.

Environmental Covenant

[address]

[tax parcel]

[deed reference]

IN WITNESS WHEREOF, the parties hereto have caused this Environmental Covenant to be executed and delivered as of the day and year first above written.

ACKNOWLEDGMENTS by Owner(s) and any Holder(s), in the following form:

ATTEST:

FOR THE AGENCY/HOLDER

MARYLAND DEPARTMENT OF THE ENVIRONMENT

LAND MANAGEMENT ADMINISTRATION

Hilary Miller, Director
Land Management Administration

STATE OF MARYLAND

COUNTY OF *[Insert County]*

)
) SS:

On this _____ day of _____, 20____, before me, the undersigned, personally appeared Hilary Miller, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

(Name of notary public typewritten or printed)

Notary Public

My commission expires: _____

Environmental Covenant

[address]

[tax parcel]

[deed reference]

ACKNOWLEDGMENTS by Owner(s) and any Holder(s), in the following form:

ATTEST:

FOR THE HOLDER

XXXXXXXXXXXXXX.,

a Maryland Corporation

Signature

Printed Name

Title

STATE OF MARYLAND

COUNTY OF *[Insert County]*

)
) SS:

On this ____ day of _____, 20____, before me, the undersigned, personally appeared *[name(s) of person(s) who made acknowledgment on behalf of the corporation]*, who acknowledged himself/herself to be the ofa corporation, and that he/she/they, as such *[title of corporate officer or other description of legal capacity]* being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself/themselves as *[title of corporate officer or other description of legal capacity]*.

In witness whereof, I hereunto set my hand and official seal.

(Name of notary public typewritten or printed)
Notary Public

My commission expires: _____

Environmental Covenant

[address]

[tax parcel]

[deed reference]

ATTEST:

FOR THE OWNER(S)

Signature

Printed Name

Title

STATE OF MARYLAND

COUNTY OF [*Insert County*])
) SS:

On this _____ day of _____, 20____, before me, the undersigned, personally appeared [*name(s) of property owner*], who acknowledged himself/herself to be the owner of the real property, and that he/she/they, as such [*title of corporate officer or other description of legal capacity*] being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself/themselves as [*title of corporate officer or other description of legal capacity*].

In witness whereof, I hereunto set my hand and official seal.

(*Name of notary public typewritten or printed*)
Notary Public

My commission expires: _____

Environmental Covenant

[address]

[tax parcel]

[deed reference]

Approved for form and legal sufficiency

This ____ day of _____, 201__

Assistant Attorney General

I CERTIFY that this document was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland

(Attorney Signature)

Environmental Covenant
[address]
[tax parcel]
[deed reference]

EXHIBIT A
METES AND BOUNDS DESCRIPTION

Environmental Covenant
[address]
[tax parcel]
[deed reference]

EXHIBIT B
MAP OF PROPERTY