

Notice of Amendment and Release of Land Use Restrictions for:
Johnson Portion of Site # 60-534

This instrument prepared by:

Tennessee Department of Environment & Conservation
Office of General Counsel
312 Rosa Parks Avenue, 2nd Floor
Nashville, Tennessee 37243

RECEIVED

JUN 14 2023

ENVIRONMENT AND CONSERVATION
COMMISSIONER'S OFFICE

STATE OF TENNESSEE
COUNTY OF MAURY

**NOTICE OF AMENDMENT AND RELEASE OF LAND USE RESTRICTIONS FOR
Johnson Property**

Notice is hereby given that pursuant to Tennessee Code Annotated section 68-212-225(e) and the original Notice of Land Use Restrictions recorded on September 24, 2007, with the Maury County, Tennessee Register of Deeds, Book R2007, Page 153 ("NLUR"), the NLUR is hereby amended as set forth herein as it applies to the Johnson Property as defined below. Pursuant to Tennessee Code Annotated section 68-212-225(d), the register of deeds shall record this Notice of Amendment and Release of Land Use Restrictions ("Notice") and index it in the: (1) grantor index in the names of the owners of the land; and (2) grantee index under the name of the Commissioner of Tennessee Department of Environment and Conservation.

WITNESSETH:

WHEREAS, Michael G. Johnson and Anita D. Johnson are the sole owners in fee simple of approximately 15 acres of real property described in a deed of record with the Maury County, Tennessee Register of Deeds, Book R2716, Page 294, and also identified as Parcel 063 025.08, and as more particularly described in the legal description attached as **Exhibit A** and incorporated herein by reference ("Johnson Property");

WHEREAS, the Johnson Property is shown as "Lot 4" of a survey drawn by Clifford McGill (Tennessee Licensed Surveyor #2699), dated July 22, 2020, attached hereto as **Exhibit B** and incorporated herein by reference; and

WHEREAS, the Johnson Property was originally part of an approximately 5,438-acre parcel of real property conveyed to Solutia, Inc., a Delaware corporation, acquired by Special Warranty Deed dated September 1, 1997, from Monsanto Company, a Delaware corporation, of record in Book 1346 at page 70 in the Maury County, Tennessee Register of Deeds office ("Monsanto Property");

WHEREAS, the Tennessee Department of Environment and Conservation, on September 24, 2007, executed the NLUR as set forth above limiting the use of the Monsanto Property;

WHEREAS, Solutia, Inc., a Delaware corporation, then conveyed its interest in the Monsanto Property by Quitclaim Deed dated April 25, 2008, to Land South TN, LLC, a Tennessee limited liability company, of record in Book R2035 at page 367 in the Maury County, Tennessee Register of Deeds office;

WHEREAS, Land South TN, LLC, a Tennessee limited liability company, then conveyed portions of the Monsanto Property including the Johnson Property by Special Warranty Deed dated March 6, 2009, to RLF Duck River, LLC, a Colorado limited liability company, of record in Book R2069 at page 1307 in the Maury County, Tennessee Register of Deeds office;

WHEREAS, RLF Duck River, LLC, a Colorado limited liability Company, then conveyed an approximately 124.57-acre portion of the Monsanto Property, by Special Warranty Deed dated June 3, 2020, to Ezra Britton and Amy Britton, of record in Book R2638, at page 822 in the Maury County, Tennessee Register of Deeds office ("Britton Property"),

WHEREAS, Ezra Britton and Amy Britton conveyed an approximately 15-acre portion of the Britton Property, by Warranty Deed dated March 12, 2021, to Michael G. Johnson and Anita D. Johnson, of record in Book R2716, at page 294 in the Maury County, Tennessee Register of Deeds office ("Johnson Property");

WHEREAS, the Commissioner has determined that the risk to human health or environment has been eliminated or reduced based upon the following: results listed in a Phase II soil investigation, *Soil and Groundwater Investigation Report for the Johnson Property, Parcel 063 025.08* by Grow Environmental dated July 27, 2022, showed that no contamination is present.

WHEREAS, after public notice and an opportunity for public input, a notice of land use restrictions filed pursuant to this section may be made less stringent or canceled by the Commissioner if the risk has been eliminated or reduced so that less restrictive land use controls are protective of human health and the environment;

WHEREAS, the Department sent notice via certified mail to all adjoining landowners and all local governments having jurisdiction over the Monsanto Property on [MAY 3, 2003];

WHEREAS, the Amendment and Termination Paragraph of the NLUR provides that the NLUR may be waived, amended, modified, or terminated at any time by the Commissioner of TDEC for cause;

NOW, THEREFORE, the NLUR is hereby amended as follows:

The Johnson Property is hereby released of the restrictions in the NLUR. This release shall not apply to any other real property to which the NLUR applies, including without limitation the Monsanto Property. Except as expressly modified or amended herein, the

provisions, conditions, and terms of the NLUR shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed on this the 13 day of June, 2023.

ACKNOWLEDGED BY:

Michael G. Johnson
Michael G. Johnson

Anita D. Johnson
Anita D. Johnson

STATE OF TENNESSEE
COUNTY OF Rutherford

Personally appeared before me, the undersigned Notary Public having authority within the aforesaid State, Michael & Anita Johnson with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he/she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 13th day of June, 2023.



Kayla M. Szych
Notary Public

My Commission Expires: 8-23-2026

APPROVED BY:

**Tennessee Department of Environment and
Conservation**

James S. Sanders

James S. Sanders
Director, Division of Remediation

STATE OF TENNESSEE

COUNTY OF Davidson

Personally appeared before me, the undersigned Notary Public having authority within the aforesaid State, James S. Sanders, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he/she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 28th day of June, 2023.

Rachel Meredith

Notary Public

My Commission Expires: June 24, 2025



EXHIBIT A – LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MAURY, STATE OF TENNESSEE, AND IS DESCRIBED AS FOLLOWS:

SITUATE in the NINTH (9TH) Civil District of Maury County, Tennessee and being more particularly described as follows:

Lot 4, containing 15 acres, more or less, of the Division of Tract 3A Phase 1, Survey for Ezra Britton as shown by a map of record in Plat Book P22 at page 218 in the Maury County, Tennessee Register of Deeds office, which is incorporated herein by reference for a more complete property description.

BEING a portion of the same property conveyed to Ezra Britton and wife Amy Britton by instrument of record in Book R2638 at page 822 in the Maury County, Tennessee Register of Deeds office.

Being the same property as conveyed by Warranty Deed from Ezra Britton and wife Amy Britton to Michael G. Johnson and wife Anita D. Johnson as recorded in Book R2716, page 294-295, Register of Deeds, Maury County, Tennessee.

Tax Parcel #063-25.08

Tax Parcel Identification Number: NINTH (9TH)

