

ATTACHMENT – EXAMPLE LANGUAGE FOR RECORDABLE INSTRUMENT

When recorded return to:

Basic Remediation Company LLC
895 West Warm Springs Road
Henderson, Nevada 89015
Attention: President

NOTICE OF HISTORICAL USE AND DISCLOSURE OF ENVIRONMENTAL SETTLEMENT AGREEMENT

THIS NOTICE OF HISTORICAL USE AND DISCLOSURE OF ENVIRONMENTAL SETTLEMENT AGREEMENT (this “**Disclosure**”) is made as of this ____ day of _____ 200____, by BASIC ENVIRONMENTAL COMPANY LLC (“**Declarant**”) as follows:

a) Declarant is the owner of those parcels of real property which are described on Exhibit “A” attached hereto and incorporated herein by this reference (the “**Site**”).

b) The Site has been used historically for industrial purposes and is the subject of Consent Agreements, dated April 25, 1991, February 23, 1996, June 1996 and February 2006, as the same may be amended or superceded from time to time. The last agreement is titled the “Settlement Agreement and Administrative Order on Consent, BMI Common Areas, Phase 3,” effective February 15, 2006 (the “AOC3”). Copies of the Consent Agreements and information with respect to the investigation and cleanup of any environmental contamination that has been or is associated with the Site is available from The State of Nevada, Department of Conservation and Natural Resources, Division of Environmental Protection (the “NDEP”) and on www.landwellco.com.

c) The Site is also subject to the access requirements set forth in the Consent Agreements, which require that the NDEP and certain other parties to the agreements have access necessary to supervise and/or conduct the activities required by the Consent Agreements.

d) The Site is also subject to a Community Involvement Plan that is designed to inform and educate the public about the plans for redevelopment on the site. Until final remediation and closure are completed and approved by NDEP, the Site remains subject to the Consent Agreements mentioned above, the additional regulatory requirements of the NDEP, and the Community Involvement Plan. The Community Involvement Plan and other historical and current documents related to the Site are available on www.landwellco.com.

e) The NDEP has approved or will approve Remedial Action, as defined in the AOC3, for the Site.

f) Pursuant to the terms of the AOC3, the Companies, as defined in the AOC3, are responsible for the Remedial Action and other requirements thereunder.

g) The Groundwater beneath the Site is also subject to the AOC3, and, accordingly, the digging of wells and the use of such groundwater for any purpose are both prohibited.

h) This Disclosure is intended to and shall run with the Site and be binding upon all future owners thereof.

IN WITNESS WHEREOF, Declarant has caused this instrument to be executed and delivered as of the ____ day of _____, 200__

Basic Environmental Company LLC
A Nevada limited liability company

By: _____
Mark Paris
President and Chief Executive Officer

STATE OF NEVADA)
)
COUNTY OF CLARK)

This instrument was acknowledged before me on _____, 2006
by Mark Paris as President and Chief Executive Officer of Basic Environmental Company LLC.

NOTARY PUBLIC

