

SPECIAL WARRANTY DEED

THIS DEED, made the 4th day of October, in the year two-thousand and two, between PPG INDUSTRIES, INC., formerly known as the Pittsburgh Plate Glass Company, a Pennsylvania corporation, having its principal place of business at One PPG Place, Pittsburgh, Pennsylvania 15272 ("Grantor"), and the BOROUGH OF FORD CITY, a body corporate and politic of the Commonwealth of Pennsylvania, having its offices at the corner of 10th Street and Fourth Avenue, Ford City, Pennsylvania 16226 ("Grantee").

WITNESSETH, That in consideration of One and 00/100 Dollar(\$1.00), in hand paid, the receipt whereof is hereby acknowledged, and for other good and valuable consideration, and with the intent to be legally bound, the said Grantor does hereby grant and convey to the said Grantee, its successors and assigns:

ALL THAT CERTAIN tract of land situated in the First Ward of the Borough of Ford City and in Manor Township, Armstrong County, Commonwealth of Pennsylvania, as more fully described in Exhibit "A" attached hereto and made a part hereof (the "Property").

BEING a part of the same premises conveyed to Pittsburgh Plate Glass Company, by deed of J. B. Ford, et al., dated June 25, 1889, and recorded in the Recorder's Office of Armstrong County, Pennsylvania, in Deed Book Volume 73, page 561. By charter amendment, effective April 1, 1968, the Pittsburgh Plate Glass Company changed its name to PPG Industries, Inc., Grantor herein.

SUBJECT TO the following covenants and conditions, which shall be covenants running with the Property, binding the Grantee, its successors, purchasers and assigns:

- (a) The Property hereby conveyed shall only be used for nonresidential activities as defined by the Pennsylvania Land Recycling and Remediation Standards Act, Act 2 of 1995, as may be amended, ("Act 2") and otherwise in accordance with the applicable zoning classification of the Borough of Ford

City, provided, however, that no food manufacturing or processing plants shall be operated on the Property.

- (b) Buildings or structures constructed on the Property are to be constructed upon a slab foundation, including all necessary footers, but without sub-surface basements or enclosures.
- (c) Soils on the Property may only be excavated in accordance with the provisions of the Final Report, Former Works No. 5 Facility, Ford City, Pennsylvania, (LRP ID No. 5-3-802-11118), dated October 18, 2001, including the Soil Management Plan and the Health and Safety Guidelines contained in Appendix A thereof approved by the Pennsylvania Department of Environmental Protection ("PADEP") on November 15, 2001.
- (d) The Property is served by a public water supply. The groundwater beneath the site shall not be used for any purpose other than for monitoring, if required.

The restrictive covenants imposed on the Property hereby conveyed shall become effective as of the date hereof and shall remain in effect until the revocation or any modification thereof has been approved in writing by PADEP or its successors.

As a material consideration for the donation of the Property to Grantee, the Grantee, for itself and its successors and assigns, except as to things or matters for which liability has been released pursuant to Act 2, hereby waives, and anyone claiming by, through or under Grantee, by acceptance of any interest in the Property, shall be deemed to have waived, its right to recover from and fully and irrevocably releases, indemnifies and hold Grantor and its directors, officers, shareholders and agents, successors and assigns harmless from any and all claims that it may now have or hereafter acquire for any and all claims, causes, causes of action, suits, proceedings, judgments and liabilities (including court costs and reasonable attorneys' fees) arising from or related to any condition of the Property, including without limitation, any personal or bodily injury, any impairment to

the soil or groundwater thereof or any adjacent properties thereto, or pursuant to any Environmental Laws (as defined herein). The term "Environmental Laws" means the National Environmental Policy Act, 42 U.S.C. Section 4321 et seq., the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. Section 9601 et seq., the Emergency Planning and Community Right to Know Act of 1986, 42 U.S.C. Section 11001, the Hazardous Materials Transportation Authorization Act, 49 U.S.C. Section 5101 et seq., the Toxic Substances Control Act, 15 U.S.C. Section 2601 et seq., the Clean Water Act, 33 U.S.C. Section 1251 et seq., the Clean Air Act, 42 U.S.C. Section 7401 et seq., the Safe Drinking Water Act, 42 U.S.C. Section 300f et seq., the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., the Resource Conservation and Recovery Act of 1976, 42 U.S.C. Section 6901 et seq., each as amended from time to time, and all similar federal, state and local statutes and ordinances and all rules, regulations or policies promulgated thereunder.

SUBJECT FURTHER TO coal, oil, gas and all other minerals, and all rights pertaining thereto, as may have been heretofore sold, reserved, or leased to any party; all rights-of-way, building and use restrictions, reservations, exceptions and defects of record as may affect the Property; all unrecorded easements and rights-of-way visually discerned on the Property; and unpaid taxes for the year 2002 and thereafter.

NOTICE

Pursuant to the Hazardous Sites Cleanup Act of 1988, P.L. 756, No. 108, § 512(b) [35 P.S. § 6020.512(b)], the Grantor hereby acknowledges that "hazardous substances," primarily volatile organic compounds, semi-volatile organic compounds, metals and pesticides, have been identified on the property hereby conveyed. The precise nature of the hazardous substances and the size and locations of the areas where hazardous substances have been identified are described more fully in the environment reports listed on Exhibit "B" attached hereto (the "Reports"), copies of which are on file with PADEP in Pittsburgh, Pennsylvania.

As more fully described in the Final Report referred to in Exhibit "B" hereto, response activities on the Property hereby conveyed have been undertaken and have resulted in the attainment of the applicable state-wide health and site-specific standards. Nonresidential exposure factors were used to comply with the state-wide health and site-specific standards. In a letter from PADEP to the Grantor dated November 15, 2001, the Property hereby conveyed was granted the liability protection provided under the Pennsylvania Land Recycling and Remediation Standards Act of 1995, P.L. 4, No. 2 § 501 (35 P.S. § 6026.501).

AND the said Grantor hereby covenants and agrees that it will warrant specially the property hereby conveyed, subject as aforesaid.

NOTICE - THIS DOCUMENT MAY NOT/DOES NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE/HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth in the manner provided in Section 1 of the Act of July 17, 1957, P. L. 984, as amended, and is not intended as notice of unrecorded instruments, if any.)

IN WITNESS WHEREOF, said Grantor has caused This Deed to be executed by an Officer with authority so to do, and to have its corporate seal affixed hereunto as of the day and year first above written.

ATTEST:

PPG INDUSTRIES, INC.

By: *Andrew L. Butler*
Assistant Secretary

By: *B. M. G. S.*
Vice President

RECORD BOOK

PAGE

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0361

EXHIBIT "A"

**Legal Description
Part of PPG Property**

All that certain piece or parcel of ground situate in Manor Township and the First Ward of Ford City Borough, County of Armstrong, and Commonwealth of Pennsylvania, being more particularly bounded and described as follows:

Beginning at a steel pin at the easternmost point of the parcel described herein and at the intersection of the southerly line of lands now or formerly owned by Ford City Borough, recorded in Deed Book Volume 628, page 001, and the northwesterly line of lands now or formerly owned by Ford City Borough, recorded in Deed Book Volume 626, page 670, parcel 2; thence along said northwesterly line S 34° 28' 16" W a distance of 295.52 feet to a railroad spike; thence along the same S 34° 19' 16" W a distance of 418.29 feet to a railroad spike at the northeasterly corner of lands now or formerly owned by Ford City Borough, recorded in Deed Book Volume 628, page 001; thence along the north and easterly lines of said lands the following (8) courses and distances; (1) N 54° 54' 37" W a distance of 1.26 feet to a railroad spike; (2) S 34° 55' 53" W a distance of 69.63 feet to a railroad spike; (3) N 55° 04' 07" W a distance of 10.50 feet to a steel pin; (4) S 34° 27' 03" W a distance of 366.79 feet to a railroad spike; (5) S 35° 08' 33" W a distance of 156.90 feet to the northerly corner of an inlet; (6) S 35° 31' 23" W a distance of 536.06 feet to a railroad spike; (7) S 36° 27' 03" W a distance of 384.02 feet to a point; (8) S 39° 47' 13" W a distance of 40.40 feet to a steel pin on the northwesterly Legal Right of Way Line for Borough Street as identified on the drawings for State Highway Route 0128, Section 013 R/W, signed July 22, 1997, and recorded in Armstrong County Highway Book 3, Page 119; thence along said Legal Right of Way for Borough

Street S 61° 37' 35" W a distance of 221.84 feet to a steel pin; thence along the same S 32° 39' 18" W a distance of 94.60 feet to a nail; thence along the northerly and westerly Right of Way Lines for State Highway Route 0128 as identified on said drawings, the following (4) courses and distances; (1) N 75° 21' 03" W a distance of 129.97 feet to a steel pin;

(2) N 55° 42' 56" W a distance of 253.42 feet to a point; (3) S 38° 16' 48" W a distance of 95.56 feet to a point; (4) S 25° 27' 41" W a distance of 128.62 feet to a point on the northerly line of lands now or formerly owned by Scheeren as recorded in Deed Book Volume 539, page 482; thence along said land N 46° 20' 12" W a distance of 259.52 feet more or less to the Low Water Line of the Allegheny River as described in Deed Book Volume 73, page 561; thence along said Low Water Line the following (5) courses and distances; (1) N 31° 30' 47" E a distance of 1699.84 feet more or less to a point; (2) N 53° 51' 44" W a distance of 25.56 feet more or less to a point;

(3) N 39° 44' 45" E a distance of 1157.20 feet more or less to a point;

(4) S 52° 21' 44" E a distance of 74.82 feet more or less to a point; (5) N 46° 08' 16" E a distance of 148.20 feet more or less to a point; thence along the southerly lines of lands now or formerly owned by West Penn Power Company, recorded in Deed Book Volume 631, page 252, and Ford City Borough, recorded in Deed Book Volume 1997, page 306, S 55° 33' 54" E a distance of 438.30 feet to a P.K. nail; thence along the westerly line of said lands of Ford City Borough the following (3) courses and distances;

(1) S 04° 58' 04" E a distance of 48.32 feet to a steel pin; (2) S 12° 33' 54" E a distance of 62.00 feet to a railroad spike; (3) S 02° 20' 34" E a distance of 159.34 feet to a P.K. nail at the westerly corner of other lands now or formerly owned by Ford City Borough, recorded in Deed Book Volume 628, page 001; thence along the southerly line of said lands S 55° 31' 47" E a distance of 48.49 feet to the point of beginning.

Containing 50.75 Acres.

Subject to but not limited to the following restrictions:

1. Aerial Easement for the Pennsylvania Department of Transportation as identified on the drawings for State Highway Route 0128, Section 013 R/W, signed July 22, 1997, and recorded in Armstrong County Highway Book 3, Page 119.
2. Right of Way Easement conveyed to M.A.C.A.D.O. recorded in Deed Book Volume 618, page 897.
3. Navigation rights for the Allegheny River.
4. Various utilities.

Being part of the same property conveyed by J.B. Ford, et. ux., et. al., to the Pittsburgh Plate Glass Company recorded in Deed Book Volume 73, page 561.

Armstrong County Tax Map Parcel Nos. 154.06-03-03 and 154.10-11-01.

Armstrong County Recorder of Deeds
Instrument Filings

Receipt# 2059800

Inst# 2002-010311 10/11/2002 12:37:

Remarks: FRANK ALAN WELFE
PS

DEED
DEED - WRIT
DEED - RT STATE
ARMSTRONG
FORD CITY BOROUGH
MANN TOWNSHIP
DEED - 6/11 15Z
DEED - 6/11 85Z
CD IMPROVEMENT FUND
REC. IMPROV FUND
EXTRA PAGES
Check# 7443
Total Received.....

EXHIBIT "B"

To Special Warranty Deed from
PPG Industries, Inc. to the Borough of Ford City

1. Notice of Intent to Remediate, January 24, 2001.
2. Cummings/Riter Consultants, Inc., 2001, "Remedial Investigation Report, Former Works Number 5 Facility, Ford City, Pennsylvania, LRP I.D. No. 5-3-802-11118," April.
3. Cummings/Riter Consultants, Inc., 2001, "Cleanup Plan, Former Works Number 5 Facility, Ford City, Pennsylvania, LRP I.D. No. 5-3-802-11118," September.
4. Cummings/Riter Consultants, Inc., 2001, "Final Report, Former Works No. 5 Facility, Ford City, Pennsylvania, LRP I.D. No. 5-3-802-11118," October.
5. Cummings/Riter Consultants, Inc., 2001, "Soil Management Plan, Former Works No. 5 Facility, Ford City, Pennsylvania, LRP I.D. No. 5-3-802-11118," November.

I hereby CERTIFY that this document is recorded in the Recorder's Office of Armstrong County, Pennsylvania

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF ALLEGHENY



Kevin J. ...
Recorder of Deeds

On this 4th day of October, 2002, before me, a Notary Public in and for the Commonwealth of Pennsylvania, the undersigned officer, personally appeared, Barry J. McGee, who acknowledged himself to be the Vice President of PPG INDUSTRIES, INC., a corporation, and that he as such Vice President being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as Vice President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Kenneth V. Shoop
Notary Public

My Commission Expires: Feb 16, 2006

Upon recording, mail to:

Frank Allan Wolfe, Esquire
930 Fifth Avenue
Ford City, Pennsylvania 16226

Notarial Seal
Kenneth V. Shoop, Notary Public
Harmer Twp., Allegheny County
My Commission Expires Feb. 16, 2006
Member, Pennsylvania Association of Notaries

Certificate of Residence

I, Frank Allan Wolfe, Esquire, do hereby certify that Ford City Borough's precise residence is P.O. Box 112, Ford City, Pennsylvania.

Witness my hand this 10th day of October, 2002

Frank Allan Wolfe

INST # **010319**
ENTERED FOR RECORD
ARMSTRONG CO. PA.

2002 OCT 11 A 11:48

BEVERLY CLAYPOOL CASELLA
RECORDER OF DEEDS



RECORDED

2002 OCT 11 A 11:48

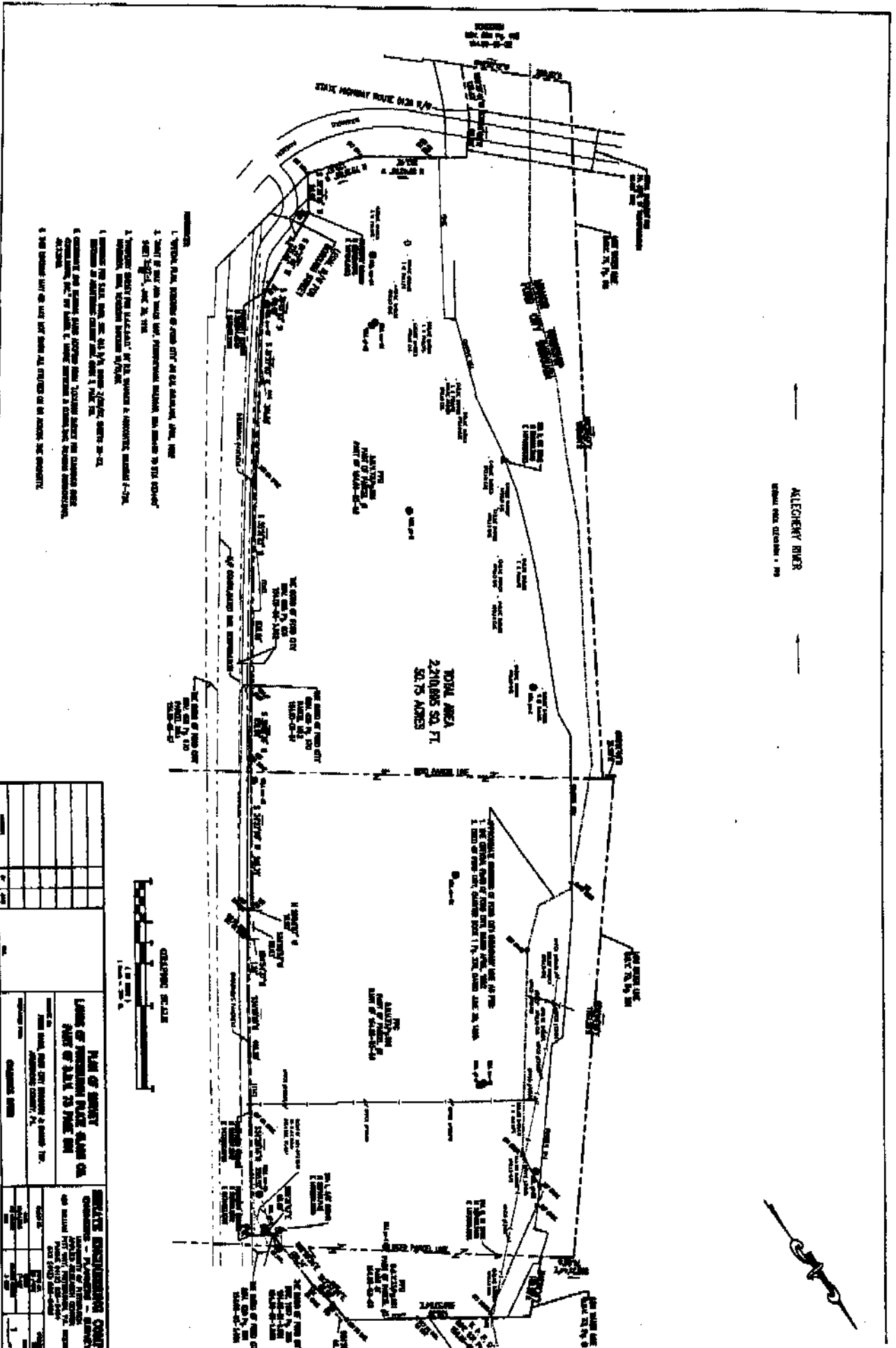
BEVERLY CLAYPOOL CASELLA
RECORDER OF DEEDS

RECORD BOOK

PAGE

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0364



1. TOTAL AREA, INCLUDING OF LAND OFF AT THE SEVERAL, 200, 1000
2. TOTAL OF THE AREA, INCLUDING OF THE SEVERAL, 200, 1000
3. TOTAL OF THE AREA, INCLUDING OF THE SEVERAL, 200, 1000
4. TOTAL OF THE AREA, INCLUDING OF THE SEVERAL, 200, 1000
5. TOTAL OF THE AREA, INCLUDING OF THE SEVERAL, 200, 1000



PLAN OF SURVEY		OWNER'S REPRESENTATIVE	
NAME OF SURVEYOR		NAME OF SURVEYOR	
DATE OF SURVEY		DATE OF SURVEY	
SCALE		SCALE	
PROJECT		PROJECT	
SHEET NO.		SHEET NO.	
TOTAL SHEETS		TOTAL SHEETS	
DATE OF PLOTTING		DATE OF PLOTTING	
DRAWN BY		DRAWN BY	
CHECKED BY		CHECKED BY	
APPROVED BY		APPROVED BY	

REDUCED



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF REVENUE
BUREAU OF INDIVIDUAL TAXES
DEPT. 280603
HARRISBURG, PA 17128-0603

**REALTY TRANSFER TAX
STATEMENT OF VALUE**

See Reverse for Instructions

RECORDER'S USE ONLY	
State Tax Field	- 0 -
Book Number	2478
Page Number	354
Date Recorded	October 11, 2002

Complete each section and file in duplicate with Recorder of Deeds when (1) the full value/consideration is not set forth in the deed, (2) when the deed is without consideration, or by gift, or (3) a tax exemption is claimed. A Statement of Value is not required if the transfer is wholly exempt from tax based on: (1) family relationship or (2) public utility easement. If more space is needed, attach additional sheet(s).

A CORRESPONDENT - All inquiries may be directed to the following person:

Name	Frank Allan Wolfe	Telephone Number:	Area Code (724) 763-7125
Street Address	930 Fifth Avenue	City	Ford City
		State	Pennsylvania
		Zip Code	16226

B TRANSFER DATA

Grantor(s)/Lessor(s)	PPG Industries, Inc.	Date of Acceptance of Document	
Street Address	One PPG Place	Grantee(s)/Lessee(s)	Borough of Ford City
City	Pittsburgh	Street Address	corner of 10th Street and Fourth Avenue
State	Pennsylvania	City	Ford City
Zip Code	15272	State	Pennsylvania
		Zip Code	16226

C PROPERTY LOCATION

Street Address	Second Avenue	City, Township, Borough	Ford City Borough and Manor Township
County	Armstrong	School District	Armstrong
		Tax Parcel Number	Ford City: 154.06-03-03
			Manor Twp: 154.10-11-01

D VALUATION DATA

1. Actual Cash Consideration	0	2. Other Consideration	+	0	3. Total Consideration	=	0
4. County Assessed Value	\$71,945.00	5. Common Level Rate Factor	x	2.38	6. Fair Market Value	=	\$171,229.10

E EXEMPTION DATA

1a. Amount of Exemption Claimed	\$171,229.10	1b. Percentage of Interest Conveyed	100%
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2. Check Appropriate Box Below for Exemption Claimed

- Will or intestate succession _____ (Name of Decedent) _____ (Estate File Number)
- Transfer to Industrial Development Agency.
- Transfer to a trust. (Attach complete copy of trust agreement identifying all beneficiaries.)
- Transfer between principal and agent. (Attach complete copy of agency/straw party agreement.)
- Transfers to the Commonwealth, the United States and instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
- Transfer from mortgagor to a holder of a mortgage in default. Mortgage Book Number _____, Page Number _____
- Corrective or confirmatory deed. (Attach complete copy of the prior deed being corrected or confirmed.)
- Statutory corporate consolidation, merger or division. (Attach copy of articles.)
- Other (Please explain exemption claimed, if other than listed above.) _____

Under penalties of law, I declare that I have examined this Statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

Signature of Correspondent or Responsible Party	Date
<i>Frank Allan Wolfe</i>	10/10/02

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH APPLICABLE DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED.