

## ENVIRONMENTAL COVENANT

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**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. (2015 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 [Insert Address], [Insert County], Maryland.

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

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

The Tax Parcel Information for the Property is: [Insert Tax Parcel Information]

The Maryland Department of Assessment and Taxation Real Property Account Identifier are: [Insert SDAT Information]

Brownfield Master Inventory (BMI) Identifier: [Insert BMI Number]

A complete legal description of this Property exists as an exhibit in the deed recorded at Liber [Insert Liber], Folio [Insert Folio]. A map of the Property is attached to this Environmental Covenant as Exhibit A.

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 Mailing Address]. For purposes of this Environmental Covenant, the Owner shall also be a Holder.

3. **Holder/Grantee/Agency.** [Insert Name(s) of Holders]/Maryland Department of the Environment located at 1800 Washington Boulevard, Baltimore, Maryland 21230. 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  
[Insert Property Address]  
[Insert Tax Information]  
[Insert Deed Reference]

5. **Summary of Identified Contaminants.** [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 Owners and each subsequent owner of the Property shall abide by:

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

b. The requirement to execute this Environmental Covenant.

7. **Notice of Limitations in Future Conveyances.** This Environmental Covenant runs with the land and shall be binding on successors in interest. 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(s)/Holder(s) shall record this Environmental Covenant in the Land Records of [Insert County] following the execution of this Environmental Covenant and shall send proof of the recording to the Department within 10 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 the Department's website at:

<http://www.mde.maryland.gov/programs/Land/MarylandBrownfieldVCP/Pages/ueca.aspx>

10. **Termination or Modification.** This Environmental Covenant runs with the land unless terminated or modified in accordance with §§ 1-808 or 1-809 of the Environment Article, Ann. Code of Md. (2015 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 and Materials Administration, Land Restoration Program, 1800 Washington Blvd., Baltimore, MD 21230.



Environmental Covenant  
[Insert Property Address]  
[Insert Tax Information]  
[Insert 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 below written.

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

ATTEST:  
FOR THE OWNER/HOLDER  
**XXXXX**  
A [**Insert State of Formation**] Limited Liability Company

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

STATE OF MARYLAND

COUNTY OF \_\_\_\_\_ )  
) SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, who acknowledged himself/herself to be the \_\_\_\_\_ of **XXXXX**, a limited liability company, and that he/she/they, as such \_\_\_\_\_ being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself/herself/themselves as \_\_\_\_\_

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  
[Insert Property Address]  
[Insert Tax Information]  
[Insert Deed Reference]

Approved for form and legal sufficiency

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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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

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(Attorney Signature)

Environmental Covenant  
[Insert Property Address]  
[Insert Tax Information]  
[Insert Deed Reference]

EXHIBIT A  
METES AND BOUNDS DESCRIPTION

Environmental Covenant  
[Insert Property Address]  
[Insert Tax Information]  
[Insert Deed Reference]

**EXHIBIT B**  
**MAP OF PROPERTY**