

PROPERTY ACCESS AGREEMENT

Almena Township ("Owner"), located in Van Buren County, Michigan, hereby grants to the KLA Landfill Group, as well as the United States Environmental Protection Agency ("EPA"), the Michigan Department of Environment, Great Lakes, and Energy ("EGLE") (collectively referred to as "the Parties"), their members, officers, authorized employees, agents, consultants and contractors, access to and upon Parcel No.: 80-01-012-002-00 located along 28th Avenue (adjacent to and east of Campbell Creek) in Almena Township ("Property") for the purpose of conducting the Work described below as part of the groundwater investigation and monitoring being conducted for the KL Avenue Landfill Superfund Site.

A. "Work" as used in this Agreement includes the following, as required by EPA or EGLE:

Phase 1. Clear tree limbs and brush along the two-track path as necessary for access of mechanized drill equipment, drill and install one permanent test monitoring well, and grade and seed (as appropriate) area around well that is disturbed by drilling activities. A figure showing the proposed location of the monitoring well is attached to this Agreement. Owner agrees that additional non-permanent groundwater investigations may also be conducted (e.g., direct push sampling) if required by EPA.

Phase 2. Conduct periodic groundwater sampling (typically two (2) times per year, or as required by EPA); inspect and maintain the well.

Phase 3 Seal and abandon the monitoring well at the conclusion of all sampling activities at the Property in compliance with applicable laws, regulations or codes.

B. Except in the case of an emergency, the Parties agree to give to the Owner at least 48 hours advance notice before entering the Property to conduct any aspect of the Work.

C. The initial contacts for the Owner and the Parties are as follows:

Owner Contact:

Mr. Bill Van Tassel

Almena Township Supervisor

42125 CR 653

Paw Paw, Michigan 49079almenasupervisor@comcast.net

United States Environmental Protection Agency Contact:

Ms. Shari Kolak

West KL Avenue Landfill
Remedial Project Manager
U.S. EPA, Region V
77 West Jackson Blvd.
Chicago, Illinois 60604-3507
Phone: (312) 886-6151
Kolak.shari@epa.gov

Michigan Department of Environment, Great Lakes, and Energy Contact:
Mr. Walelign Wagaw
Senior Project Manager – Grant and Technical Support Unit, Superfund
Michigan Department of Environment, Great Lakes, and Energy
Constitution Hall, Atrium North
525 West Allegan, P.O. Box 30241
Lansing, MI 48909
Phone: (517) 335-3390
wagaww@michigan.gov

KLA Landfill Group Contact:
Mr. Russell Downey
KLA Group Technical Manager
Pharmacia LLC c/o Pfizer Inc
100 Route 206 North M/S 401
Peapack, NJ 07977
Phone: (908) 413-0811
Russell.g.downey@pfizer.com

The Parties or the Owner may from time to time change the contact or contact information by written notice to the other.


D. Any exercise of the rights or privileges granted by this Agreement shall be subject to the following terms and conditions:

1. The access rights granted by this Agreement shall terminate immediately upon completion of Phase 3. This Agreement shall be initially effective for ten (10) years, after which time this Agreement shall automatically renew for successive one (1) year periods unless terminated in writing by the Owner or any Party.
2. Before conveying title, an easement, lease, or other possessory legal interest in any portion of the Property where the Work is being performed, Owner agrees to provide for continued, unimpeded access, subject to the terms of this Agreement, to the Parties, their consultants, contractors, and authorized representatives.
3. Owner agrees to notify the Parties at least thirty (30) days prior to any sale or conveyance of the Property, describing the provisions


made to continue access and providing the name and contact information of the person(s) to whom such legal interest will be conveyed.

4. The Owner agrees to keep the Property accessible and unobstructed during reasonable hours to allow for reasonable and necessary access by the Parties.
5. All debris from the above-described Work activities will be removed by the KLA Landfill Group in an appropriate manner.
6. Owner agrees to not tamper with or destroy any well or any equipment or other materials used by the Parties to undertake the Work at the Property.

A copy of all test results will be made available to the Owner at least annually.
IN WITNESS WHEREOF, Owner and the KLA Landfill Group have caused this Access Agreement to be executed the date entered below.

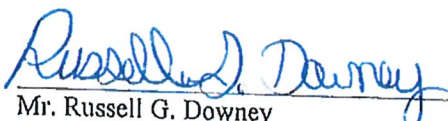

Almena Township: Mr. Bill Van Tassel (Supervisor)

6/22/2023
Date


Sandra Fickli, Clerk

6-22-2023

KLA Landfill Group:


Mr. Russell G. Downey
On Behalf of the KLA Landfill Group

27-June-2023
Date