

M 2 3 3 PAGE 0 7 6 4

sent by United States mail, postage paid certified, return receipt requested:

To: James DeLong, Director, Legal Affairs  
Applied Materials, Inc.  
P.O. Box 58039  
Santa Clara, CA 95052

CA Regional Water Quality Control Board  
San Francisco Bay Region  
2101 Webster Street, Suite 500  
Oakland, CA 94612  
Attn: Chief, South Bay Toxics Division

Copy to: Orrick, Herrington & Sutcliffe  
Old Federal Reserve Bank Building  
400 Sansome Street  
San Francisco, CA 94111  
Attn: David W. Alden or  
Arthur L. Haubenstock

5.03 Partial Invalidity. If any portion of the Restrictions or terms set forth herein is determined to be invalid for any reason, the remaining portion shall remain in full force and effect as if such portion had not been included herein.

5.04 Article Headings. Headings at the beginning of each numbered article of this Covenant are solely for the convenience of the parties and are not a part of the Covenant.

5.05 Recordation. This instrument shall be executed by the Covenantor, and by the Board. This instrument shall be recorded by the Owners in the County of Santa Clara within ten (10) days of the date of execution.

5.06 References. All references to Code sections include successor provisions.

M 2 3 3 PAGE 0765

IN WITNESS WHEREOF, the parties execute this Covenant  
as of the date set forth above.

APPLIED MATERIALS, INC.

By: *Gerald F. Taylor*  
Title: Vice President and Chief Financial Officer  
Date: 6/9/92

REGIONAL WATER QUALITY CONTROL BOARD

By: *[Signature]*  
Title: EXECUTIVE OFFICER  
Date: 5/28/92

**PURPOSE ACKNOWLEDGMENT**

NO 209

State of California  
County of Santa Clara

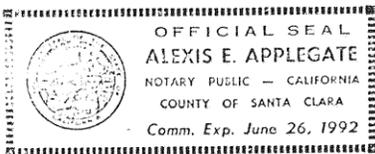
On June 9, 1992 before me, Alexis E. Applegate, Notary Public

personally appeared Gerald F. Taylor

personally known to me - OR -  proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.



*Alexis E. Applegate*  
SIGNATURE OF NOTARY

**CAPACITY CLAIMED BY SIGNER**

- INDIVIDUAL(S)
- CORPORATE Applied Materials, Inc.  
OFFICER(S) Vice President and Chief Financial Officer
- PARTNER(S)
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- SUBSCRIBING WITNESS
- GUARDIAN/CONSERVATOR
- OTHER: \_\_\_\_\_

**SIGNER IS REPRESENTING:**

NAME OF PERSON(S) OR ENTITY(IES)  
Applied Materials, Inc.

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document

THIS CERTIFICATE  
MUST BE ATTACHED  
TO THE DOCUMENT  
DESCRIBED AT RIGHT:

Title or Type of Document Covenant to Restrict Use of Property Applied Materials, Inc. 3250 Bascom Bldg. 1 Facility  
Number of Pages 18 Date of Document 6/9/92  
Signer(s) Other Than Named Above \_\_\_\_\_

DNR



STATE OF CALIFORNIA    )  
                                  )  
COUNTY OF SANTA CLARA )

On \_\_\_\_\_, 1992, before me, the undersigned, a  
Notary Public in and for said state, personally appeared \_\_\_\_\_  
\_\_\_\_\_, personally known to me or proved to me on the basis of  
satisfactory evidence to be the person who executed the within  
instrument as \_\_\_\_\_, of Applied Materials, Inc.,  
and acknowledged to me that such corporation executed the same  
pursuant to its bylaws or a resolution of its Board of Directors.

WITNESS my hand and official seal.



\_\_\_\_\_  
Notary Public in and for said County  
and State

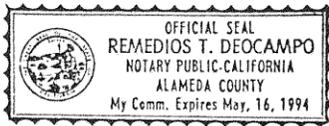


M 2 3 3 PAGE 07

STATE OF CALIFORNIA )  
                  ALAMEDA )  
COUNTY OF SANTA CLARA )

On MAY 28, 1992, before me, the undersigned,  
a Notary Public in and for said state, personally appeared  
STEVEN R. RITCHIE  
~~Stephen T. Morse, personally known to me~~ or proved to me on the  
basis of satisfactory evidence to be the person who executed the  
within instrument as <sup>EXECUTIVE OFFICER</sup> ~~Chief of the South Bay Toxics Division,~~  
Regional Water Quality Control Board, that executed the within  
instrument and acknowledged to me that such Board executed the  
same.

WITNESS my hand and official seal.



Remedios T. Deocampo  
Notary Public in and for said County  
and State

MAY 08 '92 05:25PM OHS 4GC 4157734275

H 2 3 3 PAGE 767

P. 3/3

EXHIBIT A

P 0557 PAGE 660

All that certain real property situate in the City of Santa Clara, County of Santa Clara, State of California, described as follows:

That certain parcel of land shown as "PCL. C" on Parcel Map recorded September 6, 1973 in Book 329 of Maps, page 48 Official Records of Santa Clara County.

EXCEPTING THEREFROM that portion of said property lying below a depth of five hundred (500) feet measured vertically from the contour of the surface thereof, as reserved in the Deed from Golden Empire Investment Corporation, a corporation, to Sequoia Pacific Realco, a general partnership, recorded November 3, 1972 in Book 0097, page 705 of Official Records; provided, however, that said grantor, its successors and assigns, shall not have the right for any and all purposes to enter upon, into or through the surface of the portion of said property lying above 500 feet, measured vertically from the contour of the surface of said property; and

FURTHER EXCEPTING THEREFROM a non-exclusive easement for constructing installing, maintaining, repairing and replacing an identification sign for Oakmead Industrial and Business Park upon the real property described as a portion of that certain 9.004 acre parcel designated "PCL.C" on Parcel Map recorded September 6, 1973 in Book 329 of Maps at page 48 Santa Clara County Records, said portion being more particularly described as follows:

All of said "PCL. C" which lies southerly of the following described line:

Commencing at a point in the westerly line of Bowers Avenue, as said Bowers Avenue is shown on said Map, distant thereon N. 0° 00' 33" W., 50.00 feet from the most southeasterly corner of said "PCL.C".

Thence, at right angles to said westerly line of Bowers Avenue, westerly, a distance of 170 feet, more or less, to intersection with a southerly boundary of said "PCL.C".

RECORDER'S MEMO

FAINT WRITING, TYPING, CARBON  
COPIES OR DOT MATRIX PRINTERS  
MAKE POOR PHOTOGRAPHIC RECORD