

Brownfields Project #: 04013-00-60
Brownfields Property: Vanier Graphics, 655 East Meadow Road
Property Owner (In whole or part): A.C. Furniture Company, Inc.

LAND USE RESTRICTIONS (“LUR”) UPDATE

LUR 1: No water supply wells may be installed or used at the Property, and groundwater at the Property shall not be accessed or used for any purpose, except for the purposes of sampling of MW-5 as required by paragraph 10.a.iii. of the Brownfields Agreement (“Agreement”).

In compliance XX Out of compliance _____

Remarks: _____

LUR 2: No mining activities may be conducted on or under the Property.

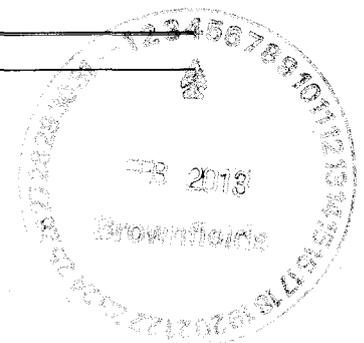
In compliance XX Out of compliance _____

Remarks: _____

LUR 3: No activities which result in direct exposure to or removal of soil from beneath the Property’s paved surfaces or building slab may be conducted without prior sampling and analysis of the soil in the area where such activities are to be conducted, submittal of the analytical results to the Department of Environment and Natural Resources (“DENR”) or its successor in function along with plans and procedures to protect human health and the environment during those activities, and approval of those activities by DENR or its successor in function.

In compliance XX Out of compliance _____

Remarks: _____



LUR 4: No activities which result in direct exposure to or removal of groundwater (for example, construction or excavation activities which encounter or expose groundwater) may be conducted on the Property without prior sampling and analysis of groundwater in the area where such activities are to be conducted, submittal of the analytical results to DENR or its successor in function along with plans and procedures to protect human health and the environment during those activities, and approval of those activities by DENR or its successor in function.

In compliance XX Out of compliance

Remarks: _____

LUR 5: No basements and no fountains, ponds, lakes, swimming pools or other items which are supplied, in whole or in part, by groundwater may be constructed on the Property.

In compliance XX Out of compliance

Remarks: _____

LUR 6: No chlorinated solvents, including but not limited to those listed in the paragraph 6 of the Agreement, may be used, warehoused or otherwise stored at the Property, except for those used in *de minimis* amounts for cleaning and for other routine housekeeping activities.

In compliance XX Out of compliance

Remarks: _____

LUR 7: Within seven (7) days of each anniversary of the effective date of the Agreement, the owner(s) of every portion of the Property shall each submit a notarized Land Use Restriction Update to DENR certifying that the Notice of Brownfields Property containing the land use restrictions remains recorded at the Rockingham County Register of Deeds office, that these land use restrictions are being complied with, that all paved

surfaces and building slab at the Property are in place and being maintained such that they are continuing to function as caps, and that MW-5 is being maintained. In those years when groundwater sampling of MW-5 is required, the Land Use Restriction Update shall also include the analytical results of the sampling event.

In compliance XX Out of compliance _____

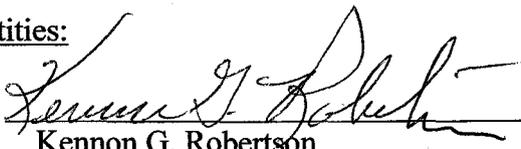
Remarks: _____

Notarized signing and submittal of this Land Use Restrictions Update constitutes certification that the Notice remains recorded at the Rockingham County Register of Deeds office and that the Land Use Restrictions are being complied with.

This Land Use Restrictions Update is certified by AC Furniture Company, Inc., owner of at least part of the Brownfields Property.

Name typed or printed of party making certification: Kennon G. Robertson

In the case of owners that are entities:

Signature of individual signing: 
Name typed or printed: Kennon G. Robertson
Title: President

In the case of all owners:

Date: _____

[Insert notary block from among the following that is pertinent to type of party submitting LURU: corporation, LLC, partnership or individual.]
[use for corporations]

AC Furniture Company, Inc.

By: Kennon G. Robertson
Name typed or printed: Kennon G. Robertson
Title typed or printed: President

ATTEST:

Name typed or printed:
Secretary, AC Furniture Company, Inc. (corporation name)

VIRGINIA

I, Sandra B. Evans a Notary Public of the county and state aforesaid, certify that Kennon G. Robertson personally came before me this day and acknowledged that he/she is the Secretary of AC Furniture, Inc. (corporation name), a Virginia (state) corporation, and that by authority duly given and as the act of the corporation, the foregoing Land Use Restriction Update was signed in its name by its president and attested by him/her as its Secretary.

WITNESS my hand and official stamp or seal, this 30th day of January, 2013

Sandra B. Evans
Name:
Notary Public

My Commission expires: 4/30/16

