

Brownfields Program  
File Room Document Transmittal Sheet

23

Your Name: Shirley Liggins  
Project ID: 0801704079  
Facility Name: Stoneville Furniture  
Document Group: Land Use Restriction Updates (LURU)  
Document Type: Annual Certification (AC)  
Description: annual certification  
Date of Doc: 12/22/2011  
Author of Doc: Carlton Harlow

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Date Recieved by File Room:

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8	2	12

0801704079

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**Brownfields Project #: 08017-04-79**

**Brownfields Property:** Stoneville Furniture, 525 South Henry Street

**Property Owner (In whole or part):** Stoneville Furniture Properties, Inc.

DEC 2007

**LAND USE RESTRICTIONS ("LUR") UPDATE**

LUR 1: No use other than the following may be made of the property: office, industrial and warehouse uses.

In compliance  Out of compliance

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 2: Surface water and underground water at the property may not be used for any purpose without the approval of Department Environment and Natural Resources ("DENR") or its successor in function.

In compliance  Out of compliance

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 3: No activities that encounter, expose, remove or use groundwater (for example, installation of water supply wells, fountains, ponds, lakes or swimming pools, or construction or excavation activities that encounter or expose groundwater) may occur on the property without prior sampling and analysis of groundwater to the satisfaction of DENR or its successor in function in any areas proposed for such activities, and submittal of the analytical results to DENR or its successor in function. If such results disclose to DENR or its successor in function contamination in excess of North Carolina's groundwater quality standards, the proposed activities may not occur without the approval of DENR or its successor in function on such conditions as DENR or its successor in function imposes, including at a minimum compliance with plans and procedures, approved pursuant to applicable law, to protect public health and the environment during the proposed activities.

In compliance  Out of compliance

Remarks: \_\_\_\_\_

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LUR 4: Soil not previously sampled for contaminants may not be exposed without a minimum of ten (10) business days advance written notice to DENR or its successor in function. At the time such soil is exposed, DENR or its successor in function may inspect and sample, or require sampling of, the exposed soil for contaminants. If soil contamination is discovered that DENR or its successor in function determines may pose an imminent threat to public health or the environment if exposed, as much soil as DENR or its successor in function requires shall be removed and disposed of in accordance with applicable law, and any other actions that DENR or its successor in function requires to make the property suitable for the uses specified in paragraph 3 of the Brownfields Agreement ("Agreement") while fully protecting public health and the environment shall be taken.

In compliance  Out of compliance

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 5: No mining may be conducted on or under the property, including, without limitation, extraction of coal, oil, gas or any other minerals or non-mineral substances.

In compliance  Out of compliance

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 6: No basements may be constructed on the property unless they are, as determined by DENR or its successor in function, vented in conformance with applicable building codes.

In compliance  Out of compliance

Remarks: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 7: None of the contaminants known to be present in the environmental media at the property, including those listed in paragraph 7 of the Agreement, may be used or stored at the property without the prior approval of DENR or its successor in function, except in *de minimis* amounts for cleaning and other routine housekeeping activities.

In compliance  Out of compliance

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 8: During January of each year after the effective date of the Agreement, the then current owner of any part of the property shall submit a notarized Land Use Restrictions Update to DENR or its successor in function certifying that this Notice of Brownfields Property containing these land use restrictions remains recorded at the Rockingham County Register of Deeds office, and that the land use restrictions are being complied with.

In compliance  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 STOVILLE FURNITURE <sup>INCORPORATED</sup>  
owner of at least part of the Brownfields Property.

Name typed or printed of party making certification: CARLTON E. HARLOW

In the case of owners that are entities:

Signature of individual signing:

Carl E. Harlow

Name typed or printed:

CARLTON E. HARLOW

Title:

SECRETARY

In the case of all owners:

Date: 12-22-11

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

[Insert Name of Corporation]

By: STONEVILLE FURNITURE  
Name typed or printed:  
Title typed or printed:

ATTEST:

CARLTON E. HARLOW

Name typed or printed:

Secretary, STONEVILLE FURNITURE (corporation name)

NORTH CAROLINA

WAKE COUNTY

I, F. MARTIN LEARY, a Notary Public of the county and state aforesaid, certify that CARLTON E HARLOW personally came before me this day and acknowledged that he/she is the Secretary of STONEVILLE (corporation name), a NC (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 Secretary and attested by him/her as its Secretary.

WITNESS my hand and official stamp or seal, this 22<sup>nd</sup> day of DECEMBER, 2011.

F. Martin Leary  
Name: F. MARTIN LEARY  
Notary Public

My Commission expires: 2/1/14

[Stamp/Seal]

