

Instrument Control Number

[Empty box for Instrument Control Number]

013244

**Commonwealth of Virginia  
Land Record Instruments  
Cover Sheet - Form A**

[ILS Cover Sheet Agent Online Version 2.0.9.15]



Doc ID: 032729990018 Type: DEE  
Recorded: 09/18/2013 at 02:02:11 PM  
Fee Amt: \$36.00 Page 1 of 18  
Albemarle County, VA  
Debra M. Shipp Clerk  
File# 2013-00013244

BK **4413** PG **601-618**

T  
A  
X  
R  
E  
X  
E  
M  
P  
T

C Date of Instrument [ 09/17/2013 ]  
O Instrument Type [ OTHER ]  
P Number of Parcels [ 1 ]  
Number of Pages [ 17 ]  
City  County  [ Albemarle County ]

(Box for Deed Stamp Only)

First and Second Grantors			
Last Name	First Name	Middle Name	Suffix
<input type="checkbox"/>	Greenwood Chemical Company		
<input type="checkbox"/>			

First and Second Grantees			
Last Name	First Name	Middle Name	Suffix
<input type="checkbox"/>	Greenwood Chemical Company		
<input type="checkbox"/>			

Grantee Address (Name) [ Greenwood Chemical Company ]  
(Address 1)  
(Address 2)  
(City, State, Zip)  
Consideration [ 0.00 ] Existing Debt [ 0.00 ] Assumption Balance [ 0.00 ]

Prior Instr. Recorded at: City  County  [ Albemarle County ] Percent. in this Juris.(%) [ 100 ]  
Book [ ] Page [ ] Instr. No [ ]  
Parcel Identification No (PIN) [ 05400-00-00-01300 ]  
Tax Map Num. (if different than PIN) [ 54 ]  
Short Property Description [ 33.59 acres ]  
Current Property Addr(Address 1) [ 635 Newtown Road ]  
(Address 2)  
(City, State, Zip) [ Greenwood ] [ VA ] [ 22943 ]

Instrument Prepared by [ Eric Newman, United States Env ]  
Recording Paid for by [ United States Environmental Pr ]  
Return Recording to (Name) [ Eric Newman, RPM ]  
(Address 1) [ 1650 Arch St (3HS23) ]  
(Address 2) [ United States Environmental Pr ]  
(City, State, Zip) [ Philadelphia ] [ PA ] [ 19103 ]  
Customer Case ID [ ] [ CS-788282 ]



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 3

NOTICE OF CONTAMINATION

This **NOTICE OF CONTAMINATION** ("Notice") is made this 16<sup>th</sup> day of September 2013, by the United States Environmental Protection Agency ("EPA") to provide information concerning subsurface contamination affecting the real property located at 635 Newtown Road, Greenwood, Virginia and to provide a list of activities and uses that, if conducted at this property, may result in an increased threat of harm to public health or the environment.

**WHEREAS**, EPA identified the existence of contamination at that certain parcel of real property (the "Property") indentified as 635 Newtown Road, near the City/Town of Greenwood, County of Albemarle, Commonwealth of Virginia, and more particularly described in the deed and its attachments recorded at Book 453, pages 503 through 511 in Albemarle County's Recorder of Deeds' office, copied as **Exhibit "A"**, attached hereto and made a part hereof; and

**WHEREAS**, the taxing authority of the County of Albemarle identifies the Property as Tax Parcel # 05400-00-00-01300, on the Albemarle County Tax Assessor's map #54 and identifies the current owner of the Property as Greenwood Chemical Company; and

**WHEREAS**, Greenwood Chemical Company abandoned the Property, stopped paying property taxes and dissolved as a company. In recognition that the Property had been abandoned, pursuant to Virginia Code § 10.1-1406.1, the Circuit Court of Albemarle County granted access to the Commonwealth of Virginia, Department of Environmental Quality ("VADEQ") under Court Order (Case No.: CL12000268-00) for the purpose of performing remediation at the Property.

**WHEREAS**, the Property is part of the Greenwood Chemical Superfund Site ("Site") where EPA conducted a response action under the authority of Section 104 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. § 9604, and issued Records of Decision for the Site, in which the selected remedial action for the Property included dismantling a former chemical production facility, packaging and transporting drums and miscellaneous abandoned chemicals off-site for proper disposal, draining chemical lagoons, excavating sludge, contaminated soil and buried drums for off-site treatment and/or disposal and backfilling excavated areas with a minimum of 24" of clean fill. Contamination remains in soils greater than 15 feet below the ground surface and groundwater below the former manufacturing area and drum disposal area, collectively referred to as the Waste Management Area. The Waste Management Area and other relevant Property features are shown on a map attached to this Notice as Exhibit "B" and made a part hereof. The selected remedy also requires the continued operation of a groundwater extraction and treatment system to contain contaminated groundwater within the Waste Management Area, environmental monitoring and implementation of institutional controls restricting future land use on the Property, and

## NOTICE OF CONTAMINATION

---

**WHEREAS**, EPA and VADEQ cleanup actions, completed and ongoing, have mitigated potential exposure to contaminants allowing the Property to be safely reused for agricultural, commercial or industrial purposes otherwise permitted by the Albemarle County zoning board, residual subsurface contamination does remain on Site. Groundwater monitoring data demonstrates that the plume of contaminated groundwater exceeding its respective safe drinking water standard, known as maximum contaminant level or MCL, has been confined to the Property. However, groundwater within the Waste Management Area is expected to remain highly contaminated with volatile chemicals as the remedial action objective is containment within the Waste Management Area. The following volatile contaminants of concern (COCs) have been measured at concentrations several orders of magnitude above their respective MCLs within the Waste Management Area:

- 1,2-dichloroethane (up to 860 micrograms per liter (“ $\mu\text{g/l}$ ”))
- Carbon tetrachloride (up to 12,000  $\mu\text{g/l}$ )
- Tetrachloroethene (up to 100  $\mu\text{g/l}$ )
- Trichloroethene (up to 1,800  $\mu\text{g/l}$ )

The promulgated MCL for each chemical listed above is 5.0  $\mu\text{g/l}$ ; and

**WHEREAS**, the conditions described above do not presently represent a significant risk to public health or the environment, nor do they require remedial action at this time. However, the disturbance of said subsurface contamination may significantly increase the risk of exposure to the contamination and create an immediate threat of harm or endangerment to public health or the environment; and

**WHEREAS**, this Notice itself does not and is not intended to create any interest in real estate in favor of the EPA, nor to create a lien against the Property but rather is intended to provide notice and information concerning the presence of subsurface contamination at the Property and caution interested parties against using the Property in any manner that may increase the risk of exposure to the contamination and result in an increased threat of harm or endangerment to public health or the environment.

**NOW, THEREFORE**, the EPA provides notice that:

**FIRST**, the Property subject to this Notice is shown on a map attached to this Notice as Exhibit “A” and made a part hereof.

**SECOND**, EPA concluded in the Records of Decision for this Site that engaging in any of the activities listed in the following subsections, may increase the risk of exposure to contamination and create a significant threat of harm to public health or the environment and, therefore, should be avoided by interested parties:

## NOTICE OF CONTAMINATION

---

- (1) residential use of the Property,
- (2) on-Site potable use of ground water,
- (3) any activity that would adversely impact the operation of the pump and treat system,
- (4) any removal of the soil cover without written permission of the EPA and/or VADEQ,
- (5) deep excavation without a site-specific health and safety plan. Any soil excavated from the Waste Management Areas would need to be sampled and managed in an appropriate manner; and,
- (6) any new habitable buildings constructed over or within 100 feet of the groundwater contaminated by volatile COCs above MCLs should include, at a minimum, a foundation vapor barrier and the subsurface piping for a sub-slab depressurization system.

The Administrative Record includes the documents that form the basis for EPA's selected remedy for the Site, including the documents supporting the recommended land use limitations identified above. The Administrative Record is available for public review at the following locations:

Jefferson-Madison Regional Library  
5791 Three Notched Road  
Crozet, VA 22932  
434-823-4050

EPA Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029  
215-814-3157

Or on the internet at [http://loggerhead.epa.gov/arweb/public/advanced\\_search.jsp](http://loggerhead.epa.gov/arweb/public/advanced_search.jsp).

**THIRD**, EPA is available to consult with any party seeking to engage in any activity at the Property. A request for consultation may be made by contacting EPA's Remedial Project Manager for the Greenwood Chemical Site at the following address:

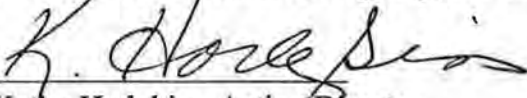
Remedial Project Manager  
Greenwood Chemical Superfund Site  
US Environmental Protection Agency  
1650 Arch Street  
Philadelphia, PA 19103

**FOURTH**, the information in this Notice may represent environmental conditions of which a seller would have current actual knowledge and thus, should be disclosed by the seller to the buyer prior to the sale or transfer of the Property.

**NOTICE OF CONTAMINATION**

---

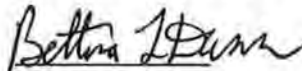
IN WITNESS WHEREOF, the undersigned, acting by and through the United States Environmental Protection Agency, has executed this instrument the day written below.

  
Kathy Hodgkiss, Acting Director  
Hazardous Site Cleanup Division  
US EPA, Region III

9/16/2013  
Date

I, Bettina L. Dunn, a Notary Public in and for the County of Philadelphia, State of Pennsylvania, do hereby certify that Kathy Hodgkiss, whose name is signed to the writing above as the representative of the agency, has this day executed this document in my presence or this day acknowledged same to be the true act and deed of said agency.

Given under my hand this 16<sup>th</sup> day of September, 2013.  
My commission expires 2016.

  
Notary Public

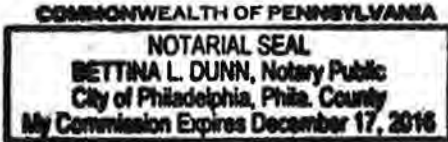


EXHIBIT A

250004

ORIGINAL  
1.00  
8.00  
1.00  
39.50  
127.90

25A 403 121 5113

THIS DEED made and entered into this 17th day of January, 1969, by and between Cockerille Chemicals, Incorporated, a Virginia corporation, the Grantor, party of the first part and Greenwood Chemical Company, a Virginia corporation, the Grantee, party of the second part;

\*\*\* WITNESSETH \*\*\*

THAT FOR AND IN CONSIDERATION OF the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt of all of which is acknowledged by the execution of these presents, the Grantor does hereby grant, bargain, sell and convey with GENERAL WARRANTY OF TITLE, unto the Grantee, the following described tract or parcel of land with buildings and improvements thereon together with any and all rights, privileges and appurtenances therunto belonging or in any wise appertaining: that tract or parcel of land lying and being situate in the Samuel Miller Magisterial District of Albemarle County, Virginia, about one and one quarter (1 1/4) miles west of Greenwood Depot containing 33.59 acres of land, and being the same land as was conveyed to the Grantor by deed of Frank D. Cockerille and Eloise Henkel Cockerille dated December 31, 1956, and recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia, in Deed Book 329, at page 144, LESS a tract containing 3.74 acres, more or less, conveyed to the Commonwealth of Virginia by deed of the Grantor recorded in the aforesaid Clerk's Office in Deed Book 442 at page 550. The land herein conveyed is more particularly described, designated and identified on a plat made by William S. Roudabush, Jr., C.L.S. and dated January 14, 1969, which plat is recorded immediately subsequent to this deed in the aforesaid Clerk's Office. Reference is hereby made to the aforesaid deeds and plat for a more particular description of the

WITNESSETH

250005

ORIGINAL  
PROOF

BOOK 453 PAGE 504

land conveyed and derivation of title.

The Grantor covenants that it is seized in fee simple absolute of the said real estate; that it has done no act to encumber the same; that it has the right to convey the same; that the Grantee shall have quiet possession thereof, free from all encumbrances; and that it will execute such further assurances of said land as may be requisite.

IN WITNESS of which the Grantor has caused its name to be signed hereto by Frank O. Cokerille, its President and agent therunto duly authorized, and its corporate seal to be hereunto affixed and attested by Betty J. Snoots, its Assistant Secretary, on this the date first aforesaid.

Cokerille Chemicals, Incorporated

By: Frank O. Cokerille L.S.  
Frank O. Cokerille, President



Attest: Betty J. Snoots  
Assistant Secretary

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF Alleghenese, TO-WIT:

I, the undersigned, a Notary Public in and for the City/County and State aforesaid, do hereby certify that Frank O. Cokerille and Betty J. Snoots did personally appear before me in my bailiwick, and did acknowledge their signatures to the foregoing writing on this the 17<sup>th</sup> day of January, 1969.

My commission expires: June 9, 1971

Alma Taylor  
Notary Public

TITANI & POLANO  
COUNTY OF ALLEGHENY  
COMMONWEALTH OF VIRGINIA

250006

ORIGINAL  
PROOF

NO. 403 BY 505

CONSENT OF SHAREHOLDERS TO TRANSFER

We, the undersigned, who hold of record all of the issued capital stock of Cokerille Chemicals, Incorporated, a corporation organized and existing under and by virtue of the laws of the State of Virginia, and each of whom holds of record the number of shares of stock set opposite his name, do hereby consent, pursuant to Article I, Section 11, of the By-Laws of Cokerille Chemicals, Incorporated, that Cokerille Chemicals, Incorporated, may sell, assign, transfer and convey its business, and sell, transfer and convey all of its property, real and personal, tangible and intangible, to Greenwood Chemical Company pursuant to and under the provisions of an agreement between Cokerille Chemicals, Incorporated, and Greenwood Chemical Company dated December 5, 1968, which agreement we have read and do fully understand and which we do hereby approve and ratify.

We do further authorize the directors and officers of Cokerille Chemicals, Incorporated to complete the said transfer and to execute such documents as are necessary to complete the said transfer.

January 10, 1969

James H. Cokerille 116 Shares Common Stock  
Elsie H. Cokerille and F. O. Cokerille

F. C. Cokerille 240 Shares Preferred Stock

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Richmond TO-WIT:

I, the undersigned, a Notary Public in and for the City/County and State aforesaid, do hereby certify that James H. Cokerille did personally appear before me in my

NOTARY & SOLICITOR  
QUALIFIED BY LAW



250007

ORIGINAL  
Notary

506

ballivick and did affix his signature to the foregoing writing on this the 17<sup>th</sup> day of September, 1968.

My commission expires: June 9, 1971

Thomas H. Harker  
Notary Public

STATE OF FLORIDA

CITY/COUNTY OF CITY OF SUWANNEE, FLORIDA TO-WIT:

I, the undersigned, a Notary Public in and for the City/County and State aforesaid, do hereby certify that Oliver H. Cockrell did personally appear before me in my ballivick and did affix her signature to the foregoing writing on this the 12th day of January, 1968.

My commission expires: \_\_\_\_\_

Ernest B. Webb  
Notary Public

NOTARY PUBLIC

OFFICE  
1958

507

COCKERILLE CHEMICALS, INCORPORATED

MINUTES OF A SPECIAL  
MEETING OF THE BOARD  
OF DIRECTORS

A special meeting of the Board of Directors of Cockerille Chemicals, Incorporated, was held at the registered office of the corporation at Greenwood, Virginia, County of Albemarle, at 10:00 A.M. on January 17, 1959, pursuant to a written waiver of notice signed by all directors, which waiver was ordered to be attached to the minutes of the meeting.

F. O. Cockerille, Eloise M. Cockerille and Betty J. Smoots, being all the members of the Board of Directors, were present in person.

F. O. Cockerille, President, presided and Betty J. Smoots, Assistant Secretary, served as Secretary of the meeting. The President called the meeting to order and declared that the floor was open for such business as might come before it.

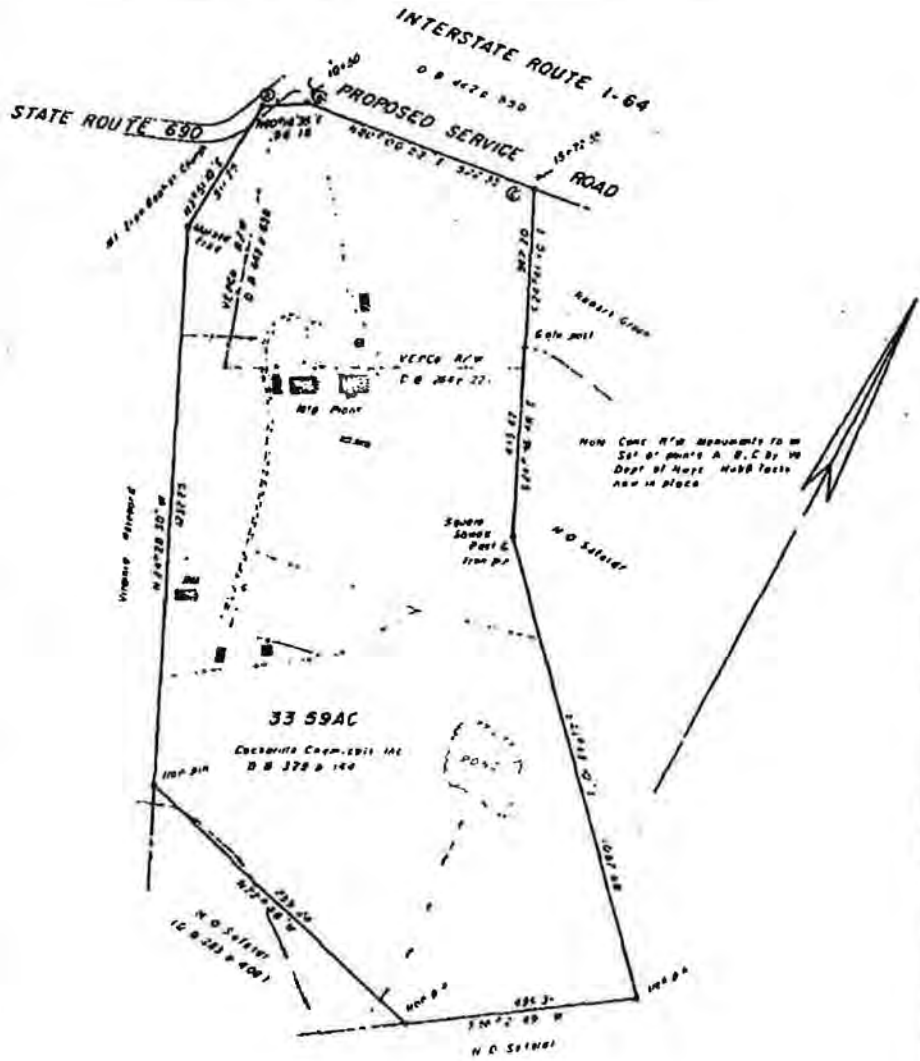
The minutes of the Special meeting of the Board held at the registered office of the corporation on April 23, 1958, were read and approved.

The first item of business to come before the Board was the sale of all the assets of the corporation in Greenwood Chemical Company. The President presented an agreement between Cockerille Chemicals, Incorporated, Greenwood Chemical Company, F. O. Cockerille and Eloise M. Cockerille dated December 8, 1958, which agreement was signed by all parties thereto. The agreement was read article by article and full discussion was had on it. The President next presented a Consent to Transfer of Assets

PLAT SHOWING A SURVEY OF 33.59 ACRES  
PROPERTY OF  
COCKERILLE CHEMICALS, INC  
NEAR GREENWOOD  
ALBEMARLE COUNTY, VA

SCALE: 1" = 200'

JAN 14, 1969



WILLIAM S. ROUDABUSH, JR.  
CERTIFIED LAND SURVEYOR

508

dated January 10, 1968, and signed by all the stockholders of Cokerille Chemicals, Incorporated whereby the stockholders consented to the transfer and conveyance of all the property, real and personal, tangible and intangible, of Cokerille Chemicals, Incorporated to Greenwood Chemical Company pursuant to the provisions of the agreement dated December 3, 1966. On motion duly made, seconded and carried, the following resolution and preamble were unanimously adopted:

WHEREAS, Cokerille Chemicals, Incorporated, Greenwood Chemical Company, F. O. Cokerille and Elsie T. Cokerille have entered into an agreement for the sale of all the assets of Cokerille Chemicals, Incorporated to Greenwood Chemical Company, which agreement is dated December 3, 1966, and

WHEREAS, the provisions of said agreement have been ratified and approved and the sale consented to by all the stockholders of Cokerille Chemicals, Incorporated, now therefore, be it hereby

RESOLVED, that the board of directors of Cokerille Chemicals, Incorporated, hereby approves the agreement dated December 3, 1966, for the sale of the entire assets of Cokerille Chemicals, Incorporated to Greenwood Chemical Company and that the proper officers of Cokerille Chemicals, Incorporated be, and they hereby are, authorized and directed to execute such documents as are necessary to comply with the provisions of the agreement of December 3, 1966, and to fully effect said sale.

There being no further business the meeting was adjourned on motion duly adopted at 11:00 A.M.

*Charles K. Kelly, Jr.*  
Secretary

Attest: *F. O. Cokerille*  
President

TITVARY & POLYMER

COCKERILLE CHEMICALS, INCORPORATED  
WAIVER OF NOTICE  
OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

We, the undersigned, being all the directors of Cockerille Chemicals, Incorporated do hereby waive notice of the time, place, and purposes of the special meeting of the Board of Directors of said corporation, and do consent to the holding of such special meeting at 10:00 A.M. on the 17th day of January, 1969, at the registered office of the corporation at Greenwood, Virginia, County of Albemarle.

And we do hereby waive any and all requirements of the Statutes of Virginia and of the By-Laws of the corporation as to notice and publication thereof; and we do consent to the transaction of such business as may come before the meeting.

Dated this 17th day of January, 1969.

F. O. Cockerille  
F. O. Cockerille  
Eloise M. Cockerille  
Eloise M. Cockerille  
Betty J. Smith  
Betty J. Smith

ISSUED & RELEASED  
[Signature]

DOC# 453 PAGE 510

(SEE PLAT NEXT PAGE)

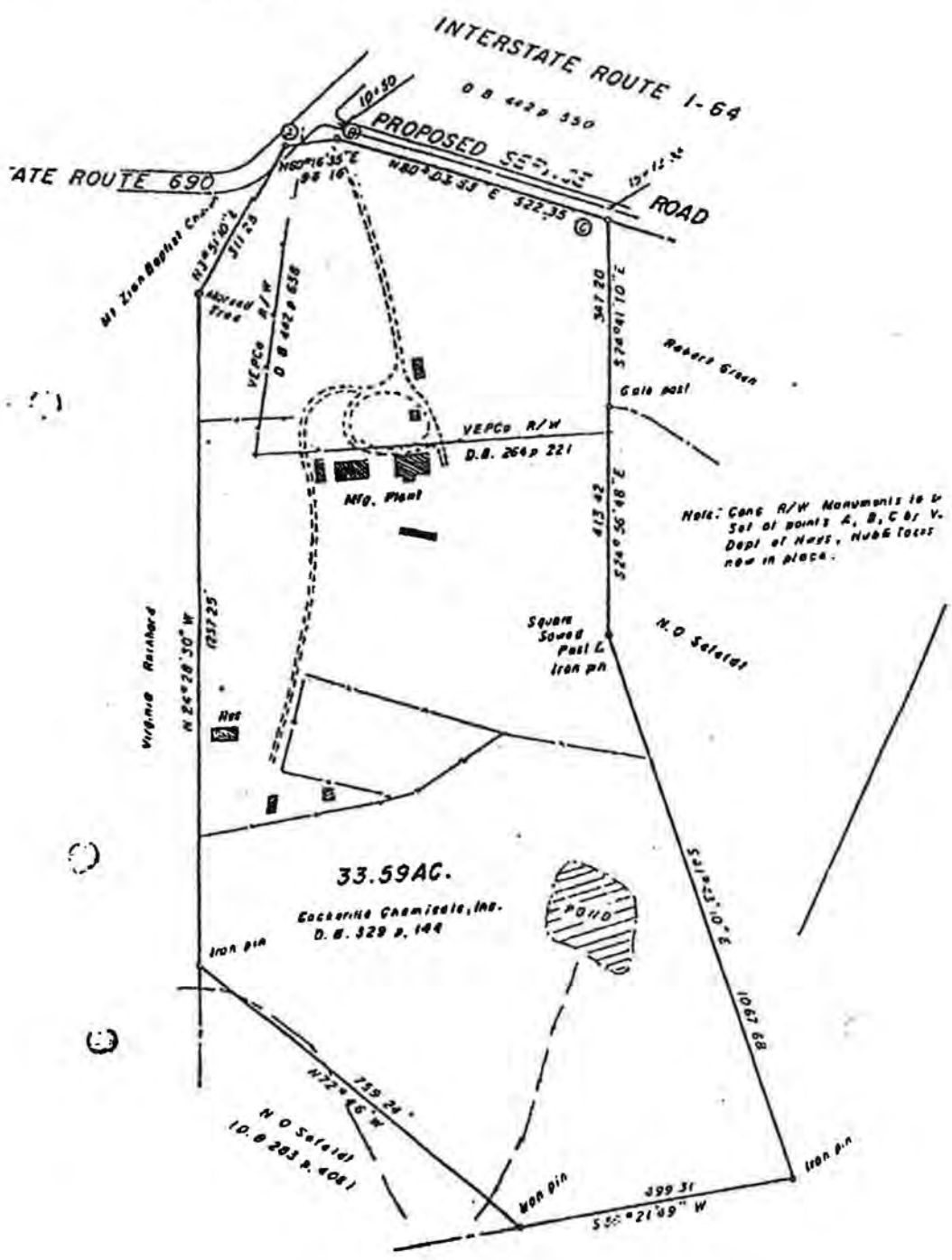
53-511

COCKERILLE CHEMICALS, INC.  
- NEAR GREENWOOD  
ALBEMARLE COUNTY, VA 250717

ORIGINAL  
(Red)

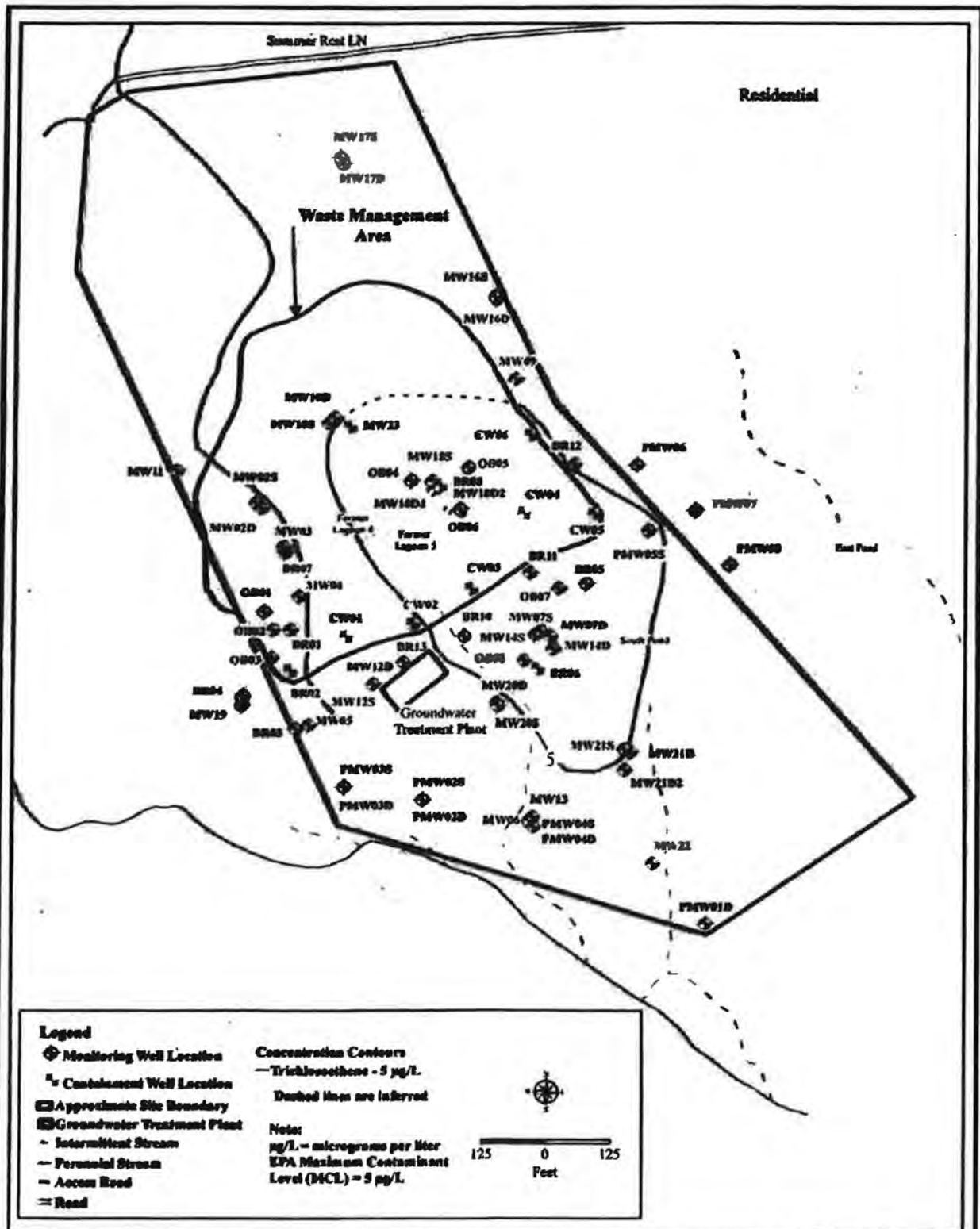
JAN. 14, 1969

SCALE: 1" = 200'



Note: Cont. R/W Monuments to be Set at points A, B, C or V. Dept of Mass. Hub & Ties now in place.

# EXHIBIT B



U.S. Environmental Protection Agency, Greenwood Chemical Site  
Albemarle County  
Greenwood, VA

Figure 5  
5 µg/L Concentration Contour for  
Trichloroethene  
First Quarter 2012



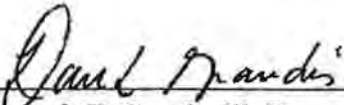


Virginia, for the purpose of performing remediation as described in December 31, 1990 Interim Record of Decision, the September 22, 2005 Record of Decision, and the Superfund State Contract for Remedial Activities at Greenwood Chemical Site, as amended.

ENTER: August 22, 2012

Judge

I ASK FOR THIS:



Kenneth T. Cuccinelli, II  
Attorney General of Virginia  
David C. Grandis (VSB No. 47746)  
Assistant Attorney General  
900 E. Main Street  
Richmond, VA 23219  
(804) 225-2741 – telephone  
(804) 786-2650 – facsimile

*Counsel for the Department of Environmental Quality*

RECORDED IN CLERKS OFFICE OF  
ALBEMARLE COUNTY ON  
September 18, 2013 AT 2:02:11 PM  
\$0.00 GRANTOR TAX PD  
AS REQUIRED BY VA CODE §58.1-802  
STATE: \$0.00 LOCAL: \$0.00  
ALBEMARLE COUNTY, VA  
DEBRA M. SHIPP CLERK

