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NOTARIZED AFFIDAVIT

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AFFIDAVIT OF NESTLÉ

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Arlington

Subscribed and sworn before me this 18<sup>th</sup> day of July, 2018

Daniel Nugent, Chief Legal Officer & General Counsel of NESTLÉ USA, INC. ("Nestlé"), a Delaware corporation authorized to transact business in the Commonwealth of Virginia, after first being duly sworn, appeared before the undersigned authority and affirmed the following facts under oath:

- (a) Daniel Nugent is Chief Legal Officer & General Counsel of Nestlé and as Chief Legal Officer & General Counsel has been duly authorized to execute and deliver this Affidavit for and on behalf of Nestlé. The Affidavit is a requirement of the Arlington County Economic Development Incentive Grant Agreement dated May 1, 2017, by and among the County Board of Arlington County, Virginia, the Industrial Development Authority of Arlington County and Nestlé ("**Grant Agreement**"). All actions required under Nestlé's organizational documents and applicable governing law for the authorization, execution and delivery of this Affidavit have been duly taken (to the extent required) as of the date of execution and delivery of this Affidavit. All terms in this Affidavit are defined as in the Grant Agreement.
- (b) As of June 30, 2018 (the "**EDI Grant Confirmation Deadline**"):
  - (i) Nestlé has created and Maintained a total of 358 cumulative New Jobs at the Nestlé Arlington Facility;
  - (ii) Nestlé has leased and occupied 229,280 Square Feet cumulative rentable area square feet at the Nestlé Arlington Facility; and
- (c) As of the EDI Grant Confirmation Deadline, Nestlé has fulfilled the Facility Lease milestone set forth in Section 3 of the Grant Agreement and has not fulfilled the New Job milestone set forth in Section 3 of the Grant Agreement for the preceding EDI Grant Performance Period.

NESTLÉ USA, INC., a Delaware  
corporation

By: 

Daniel Nugent, Chief Legal Officer &  
General Counsel

NOTARIZED AFFIDAVIT

Pamela Kathryn  
I, Patterson, a notary public, do hereby certify that Daniel  
Nugent, the affiant whose  
name is subscribed to the foregoing affidavit duly swore and made oath that the facts contained  
therein are true and correct to the best of his/her information, knowledge and belief, before me in  
the said City/County of Rosslyn/Arlington, Commonwealth of Virginia, this 18th  
day of July, 2018.

My commission expires: November 30, 2022



[Reproducible Notarial Seal]

Pamela Kathryn Patterson  
Notary Public  
Notary Registration No. 7757942

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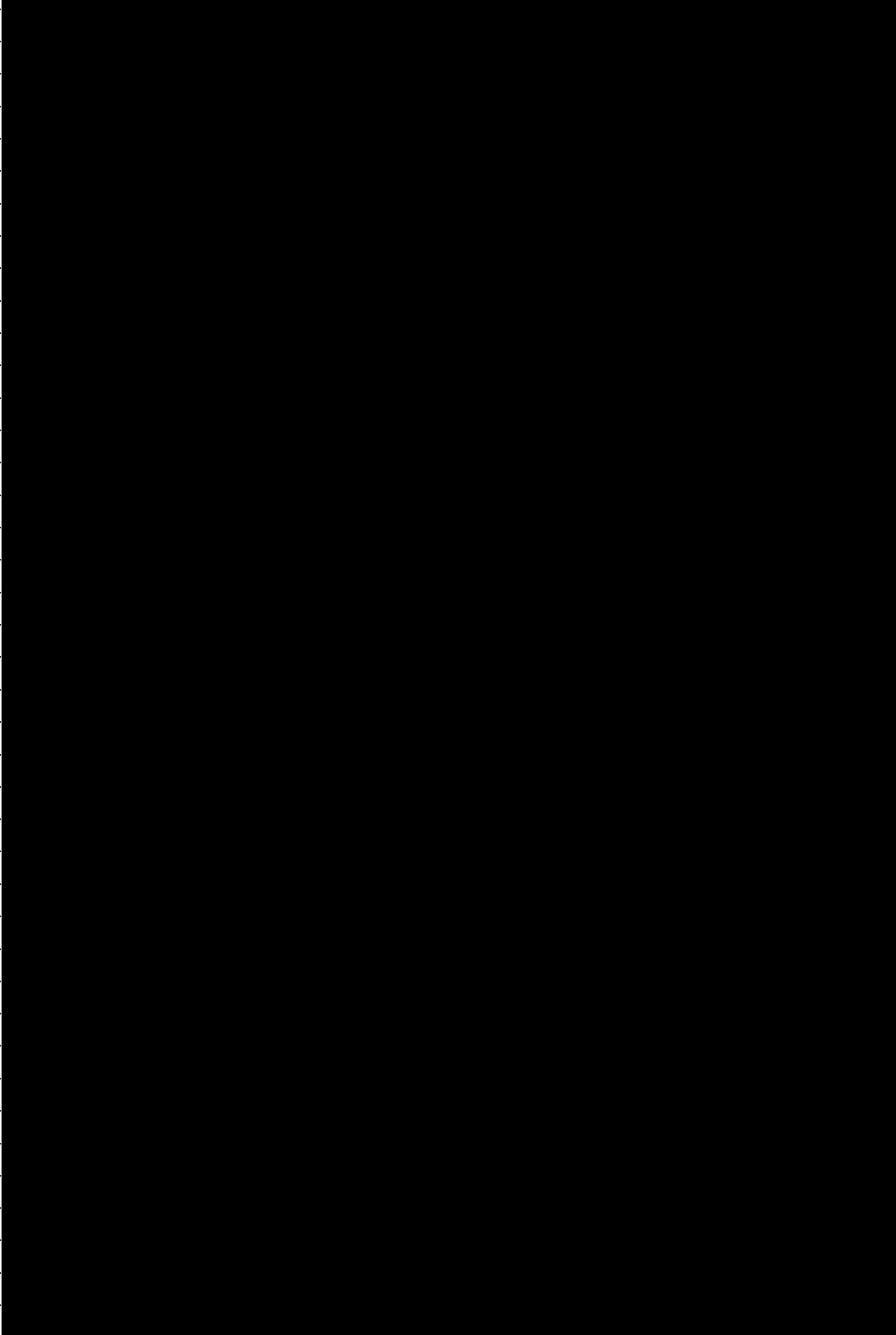
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