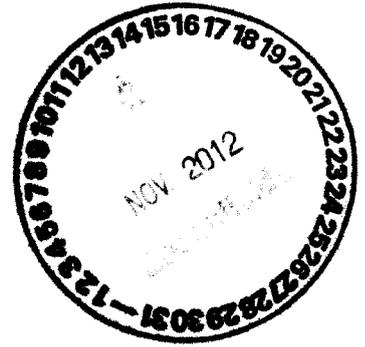


Brownfields Project #: 01006-97-60
Brownfields Property: Hamilton Property, 216 Dunavant St.
Prospective Developer: Rush Family, LLC



LAND USE RESTRICTIONS ("LUR") UPDATE

LUR 1: No water supply wells may be installed or used at the Property.

In compliance Out of compliance

Remarks: _____

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

In compliance Out of compliance

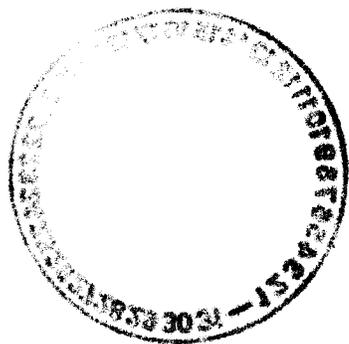
Remarks: _____

LUR 3: 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 activities are to be conducted, provision 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 public health and the environment during those activities, and approval of those activities by DENR.

In compliance Out of compliance

Remarks: _____

LUR 4: Without the approval of DENR, the Property shall not be used for childcare facilities, playground facilities, and/or organized ground contact sporting activities of any kind, including, but not limited to golf, football, soccer, and baseball.



In compliance Out of compliance

Remarks: _____

LUR 5: No fountains, ponds, lakes, or other items which are supplied, in whole or in part, by groundwater may be constructed on the property.

In compliance Out of compliance

Remarks: _____

LUR 6: No Chlorinated solvents may be warehoused at the Property.

In compliance Out of compliance

Remarks: _____

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

This Land Use Restrictions Update is certified by Carol P. Kaul
owner of at least part of the Brownfields Property.

Name typed or printed of party making certification: Karen R. Rush