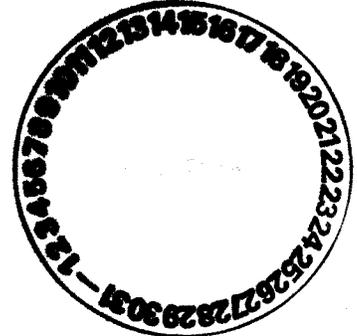


# ADDISON INVESTMENTS, LLC

January 8, 2013

Ms. Shirley Liggins  
Brownfields Program  
Superfund Section, DWM  
Department of Environment and natural Resources  
401 Oberlin Road, Suite 150  
Raleigh, NC 27605



RE: West Morehead  
1310 West Morehead Street  
Charlotte, Mecklenburg County  
Brownsfield Project Number 04001-00-60

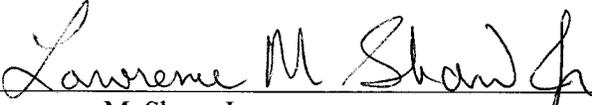
Dear Ms. Liggins:

Pursuant to our subject agreement, please consider this letter as our annual "land-use restrictions update" certifying the following:

1. **The Notice of Brownfields Property containing the land-use restrictions remains recorded at the Mecklenburg County Register of Deeds Office.**
2. **The subject property is compliant with the land-use restrictions contained in the Brownfields Agreement.**

If you have any questions about this letter, please contact me at your convenience. I can be reached at 704.904.6092.

Sincerely,

  
Lawrence M. Shaw, Jr.

North Carolina  
Mecklenburg County

I, Kirsten M. Patterson, a Notary Public for said County and State, do hereby certify that Lawrence M. Shaw Jr. personally appeared before me this day and acknowledged that due execution of the foregoing instrument.

Witness my hand and official seal, this 8 day of January, 2013

  
Notary Public

My commission expires My Comm Exp 7-7-17

**Brownfields Project #:** 04001-00-60  
**Brownfields Property:** West Morehead, 1306-1310 West Morehead Street  
**Prospective Developer:** Addison Investment, 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 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  Out of compliance

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

LUR 4: 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   X   Out of compliance       

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

Notarized signing and submittal of this Land Use Restrictions Update constitutes certification that the 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 Lawrence Shaw, owner of at least part of the Brownfields Property.

Name typed or printed of party making certification: Lawrence Shaw

In the case of owners that are entities:

Signature of individual signing: \_\_\_\_\_

Name typed or printed: \_\_\_\_\_

Title: \_\_\_\_\_

In the case of all owners:

Date: January 8, 2013

[use for LLCs]

Addison Investments, LLC

By: Lawrence Shaw  
Name: Lawrence Shaw  
Member/Manager

NORTH CAROLINA  
MECKLENBURG COUNTY

I, KIRSTEN M. PATTERSON, a Notary Public of the county and state aforesaid, certify that LAWRENCE SHAW personally came before me this day and acknowledged that he/she is a Member of ADDISON INVESTMENTS LLC, a NC (state) limited liability company, and its Manager, and that by authority duly given and as the act of the company, the foregoing Land Use Restriction Update was signed in its name by him/her.

WITNESS my hand and official stamp or seal, this 8 day of January, 2013

Kirsten M. Patterson

Name typed or printed: KIRSTEN M. PATTERSON  
Notary Public

My Commission expires: My Comm Exp 7-7-17

[Stamp/Seal]

