Brownfields Project #: 05004-01-60
Brownfields Property: Anchor Mill, 404 North Church Street
Property Owner (In whole or part): Town of Huntersville

NOV 2014

LAND USE RESTRICTIONS ("LUR") UPDATE

LUR 1: No water supply wells may be installed or used at the Property, and groundwater at the Property may not be used or accessed for any purpose.

In compliance ✓ Out of compliance ____

Remarks: _____

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

In compliance ✓ Out of compliance ____

Remarks: _____

LUR 3: No activities that 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 basements and 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 ✓ Out of compliance ____

Remarks: _____

LUR 5: No compounds containing arsenic, chromium or lead, and no petroleum hydrocarbon compounds or chlorinated solvents, including but not limited to those listed above in the Notice of Brownfields Property ("Notice") may be used, warehoused or otherwise stored at the Property, without prior approval of DENR or its successor in function. The approval of DENR or its successor in function shall not be required for petroleum hydrocarbon compounds or chlorinated solvents used in *de minimis* amounts for cleaning and for other routine housekeeping activities.

In compliance ✓ Out of compliance ____

Remarks: _____

LUR 6: Within seven (7) days of each anniversary of the effective date of the Brownfields Agreement ("Agreement"), the then current owner(s) of each portion of the Property, shall submit a notarized Land Use Restriction Update to DENR or its successor in function certifying that the Notice remains recorded at the Mecklenburg County Register of Deeds office, that the land use restrictions contained in the Notice are being complied with, and that any impervious surface installed pursuant to paragraph 10.c of the Agreements being properly maintained. The Land Use Restrictions Update shall be addressed to DENR official referenced in paragraph 28.a. of the Agreement.

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 Mecklenburg County Register of Deeds office and that the Land Use Restrictions are being complied with.

This Land Use Restrictions Update is certified by the Town of Huntersville, owner of at least part of the Brownfields Property.

Name typed or printed of party making certification: Greg Ferguson, Town Manager

In the case of owners that are entities:

Signature of individual signing: Greg Ferguson
Name typed or printed: Greg Ferguson
Title: Town Manager

In the case of all owners:

Date: November 17, 2014

Town of Huntersville

By: Greg Ferguson
Greg Ferguson, Town Manager

ATTEST:

Janet Pierson
Janet Pierson, Town Clerk

NORTH CAROLINA
MECKLENBURG COUNTY

I, Michelle V. Haines, a Notary Public of the county and state aforesaid, certify that Janet Pierson personally came before me this day and acknowledged that she is the Town Clerk of the Town of Huntersville, a NC Municipal corporation, and that by authority duly given and as the act of the Town, the foregoing Land Use Restriction Update was signed in its name by its Town Manager and attested by her as its Town Clerk.

WITNESS my hand and official stamp or seal, this 17th day of November, 2014.

Michelle V. Haines
Name: Michelle V. Haines
Notary Public

My Commission expires: July 13, 2019