



GRUBB PROPERTIES

People who care. Places that matter.



VIA CERTIFIED MAIL

January 29, 2013

Mr. David Peacock
Brownfields Compliance Coordinator
NC Department of Environment and Natural Resources
1646 Mail Service Center
Raleigh, NC 27699-1646

Subject: Annual Land Use Restrictions Update

Dear Mr. Peacock:

Enclosed are executed LURUs for the Brownfields projects listed below.

East Park – Boyer	Project #06018-02-60
East Park – Kossove	Project #05012-01-60
East Park – Joal	Project #05011-01-60
East Park – Craver	Project #07019-03-60

If you need any additional information, please let us know. I can be reached at 704-405-5167 and Diana Miller can be reached at 704-405-1639. Thank you for your assistance.

Sincerely,

Shelley Setzer
Vice President, Asset Management

Enclosures

Brownfields Project #: 05012-01-60
Brownfields Property: East Park – Kossove, 1515, 1521 & 1525 East 4th Street
Property Owner (In whole or part): Charlotte King, LLC

LAND USE RESTRICTIONS (“LUR”) UPDATE

LUR 1: Groundwater at the Brownfields Property may not be accessed or used in any way whatsoever, whether through wells or for fountains, ponds, lakes, swimming pools or any other purpose.

In compliance Out of compliance _____

Remarks: _____

LUR 2: No basements shall be constructed at the Brownfields Property unless they are, as determined by the Department of Environment and Natural Resources (“DENR”), vented in conformance with applicable building codes.

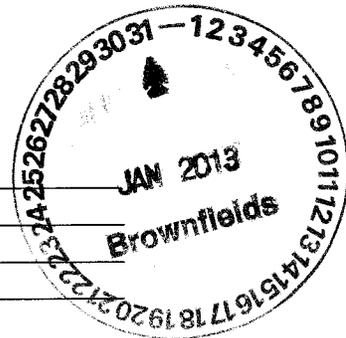
In compliance Out of compliance _____

Remarks: _____

LUR 3: No mining activities may be conducted on or under the Brownfields Property.

In compliance Out of compliance _____

Remarks: _____



LUR 4: No activities that result in direct exposure to or removal of groundwater (for example, construction or excavation activities that encounter or expose groundwater) may occur on the Brownfields Property without prior sampling and analysis of groundwater to DENR’s satisfaction in the area proposed for such activities,

and submittal of the analytical results to DENR or its successor in function. If such results disclose contamination in excess of North Carolina's groundwater quality standards, the proposed activities may not occur without DENR approval and on such conditions as DENR imposes, including at a minimum DENR approval of plans and procedures to protect public health and the environment during the proposed activities.

In compliance Out of compliance _____

Remarks: _____

LUR 5: No chlorinated solvents, including but not limited to those listed above, may be used or stored at the Brownfields Property without the prior approval of DENR, except in *de minimis* amounts for cleaning and 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, the then current owner(s) of each portion of the Brownfields Property shall submit a notarized Land Use Restrictions Update to DENR certifying that the Notice of Brownfields Property containing these land use restrictions remains recorded at the Mecklenburg County Register of Deeds office, and that the land use restrictions are being complied with.

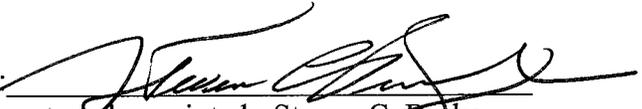
In compliance Out of compliance _____

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.

TORRENCE STREET PARTNERS, LLC,
A North Carolina limited liability company

By: Novant Health, Inc., Manager

By: 
Name typed or printed: Steven C. Burke
Title typed or printed: Vice President

NORTH CAROLINA
MECKLENBURG COUNTY

I, KATHLEEN M. WILSON, a Notary Public of the county and state aforesaid, certify that Steven C. Burke personally came before me this day and acknowledged that he is the Vice President of Novant Health, Inc., Manager of 1600 ELIZABETH AVENUE, LLC, a North Carolina limited liability corporation, and that by authority duly given and as the act of the corporation, the foregoing Notice of Brownfields Property was signed in its name.

WITNESS my hand and official stamp or seal, this 17TH day of
JANUARY, ~~2012~~ 2013
kw

Kathleen M. Wilson
Name: KATHLEEN M. WILSON
Notary Public

My Commission expires: December 7, 2016

