

Brownfields Program  
File Room Document Transmittal Sheet

25

Your Name: Shirley Liggins  
Project ID: 0600702060  
Facility Name: Smith Metal & Iron - Johnson & Wales  
Document Group: Land Use Restriction Updates (LURU)  
Document Type: Annual Certification (AC)  
Description: 2011 annual certification  
Date of Doc: 11/4/2011  
Author of Doc: Benne Hutson

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0600702060

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November 3, 2011

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Carolyn F. Minnich  
Brownfields Project Manager  
NC Department of Environmental and Natural Resources  
1649 Mail Service Center  
Raleigh, NC 27699-1646

Re: Johnson & Wales/Land Use Restriction Update  
Brownfields Project Number: 06007-02-60  
Client-Matter No. 4504610.000600

Dear Carolyn:

Pursuant to Section V, paragraph 11.a.vi. of the Brownfields Agreement between the City of Charlotte and the North Carolina Department of Environment and Natural Resources and dated November 15, 2002, I am, on behalf of Johnson & Wales, the current owner of the property, enclosing an executed land use restriction update for 2011.

Sincerely,

McGuireWoods LLP



Benne C. Hutson

BCH/jrp

Enclosure

cc: Wayne M. Kezirian (w/encl.)



ANNUAL BROWNFIELDS CERTIFICATION  
REGARDING LAND USE RESTRICTIONS



Pursuant to Section V, Paragraph 11.a.vi. of the Brownfields Agreement re: Former Smith Metal & Iron Site, S. Cedar St. & W. Fourth Street, Charlotte, N.C. by and between the North Carolina Department of Environment and Natural Resources and the City of Charlotte dated November 15, 2002 and paragraph 6 of the Land Use Restrictions of the Notice of Brownfields Property filed by the City of Charlotte on December 11, 2002 as recorded in Book 14524, Page 293 by the Mecklenburg County Register of Deeds, Johnson & Wales University hereby certifies, as current owner of the property that is the subject of this Notice of Brownfields Property, that the Notice of Brownfields Property remains recorded at the Mecklenburg County Register of Deeds Office and the land use restrictions therein are being complied with.

Duly executed this 3rd day of November, 2011.

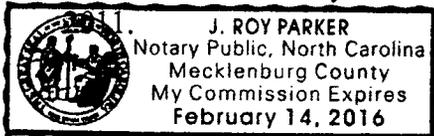
Johnson & Wales University

By: Benne C. Hutson  
Benne C. Hutson, pursuant to the  
attached Delegation of Authority

State of North Carolina  
County of Mecklenburg

I, J Roy Parker, a Notary Public of said County and State, do hereby certify that Benne C. Hutson personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal or stamp, this the 3rd day of November,



J Roy Parker  
Notary Public  
Printed Name: J Roy Parker  
My Commission Expires 7/14/2016

[SEAL OR STAMP]