

LUR 4: No basements may be constructed at the Property.

In compliance Out of compliance

Remarks: _____

LUR 5: 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 6: No chlorinated solvents, including but not limited to those listed in the tables in paragraphs (2)a. and (2)b. of the Notice of Brownfields Property ("Notice"), may be used, warehoused, or otherwise stored at the Property, except for those used in de minimis amounts for cleaning and for other routine housekeeping activities incidental to the uses of the Property approved in the Brownfields Agreement ("Agreement"), or offered for retail sale in household quantities by lessees, sublessees, assignees, and transferees in the normal course of their businesses.

In compliance Out of compliance

Remarks: _____

LUR 7: Within thirty (30) days of each anniversary of the effective date of the Agreement, the owner of each portion of the Property shall submit a notarized Land Use Restrictions Update to DENR certifying that the Notice remains recorded at the Vance County Register of Deeds office, and that the land use restrictions herein are being complied with. The Land Use Restrictions Update shall also describe land uses and development activities that have occurred on the Property during the reporting period and that it is anticipated will occur on parcels adjacent to the Property, and shall contain a

certification that any building foundations and parking and driveway surfaces constructed on the Property are continuing to function as caps and are being properly maintained.

In compliance Out of compliance

Remarks: _____

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

This Land Use Restrictions Update is certified by Dabney Exchange Co, LLC, owner of at least part of the Brownfields Property.

Name typed or printed of party making certification: Jeffrey W. Cawley

In the case of owners that are entities:

Signature of individual signing: 
Name typed or printed: ~~Member Manager~~ Jeffrey W Cawley
Title: Member Manager

In the case of all owners:

Date: 1/5/2013

[use for LLCs]

[Name of LLC]

By: [Signature]
Name typed or printed: Jeffrey W Cawley
Member/Manager

NORTH CAROLINA
Durham COUNTY

I, Bradley D Brogden, a Notary Public of the county and state aforesaid, certify that Jeffrey W Cawley personally came before me this day and acknowledged that he/she is a Member of Dabney Exchange Corp LLC, a North Carolina (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 5 day of
January, 2013.

Bradley D Brogden
Bradley D Brogden
Name typed or printed:
Notary Public

My Commission expires: 1-26-17

