

Brownfields Project #: 06019-02-34
Brownfields Property: Central Park Landfill
Property Owner (In whole or part): Salem Recreational Fields, LLC



LAND USE RESTRICTIONS ("LUR") UPDATE

LUR 1: No use other than the following may be made of the Brownfields Property: Outdoor recreation, defined as public or private golf courses, tennis courts, ball fields, ball courts, outdoor public gatherings and similar uses which are not enclosed in buildings.

In compliance Out of compliance

Remarks: _____

LUR 2: Surface water and underground water at the Brownfields Property may not be used for any purpose without the approval of the Department of Environment and Natural Resources ("DENR") or its successor in function.

In compliance Out of compliance

Remarks: _____

LUR 3: No activities that encounter, expose, remove or use groundwater (for example, installation of water supply wells, fountains, ponds, lakes or swimming pools, or construction or excavation activities that encounter or expose groundwater) may occur on the Brownfields Property without prior sampling and analysis of groundwater to the satisfaction of DENR or its successor in function in any areas proposed for such activities, and submittal of the analytical results to DENR or its successor in function. If such results disclose to DENR or its successor in function contamination in excess of North Carolina's groundwater quality standards, the proposed activities may not occur without the approval of DENR or its successor in function on such conditions as DENR or its successor in function imposes, including at a minimum legal approval of plans and procedures to protect public health and the environment during the proposed activities.

In compliance Out of compliance

Remarks: _____

LUR 4: After installation of the passive landfill methane collection/venting system, irrigation system 18 inches below ground surface in the cover soil layer, improved recreational athletic fields, softball field fencing, perimeter fencing, lighting, poles and netting planned by Prospective Developer, soil, landscaping and contours at the Brownfields Property may not be disturbed without the approval of DENR or its successor in function, except that mowing, pruning, and planting or installation of above-ground vegetation and turf, top-dressing, defined as fertilizing the Brownfields Property on the surface, and the application of clean fill to address settling-related undulations or unevenness, may occur.

In compliance Out of compliance

Remarks: _____

LUR 5: No mining may be conducted on or under the Brownfields Property, including, without limitation, extraction of coal, oil, gas or any other minerals or non-mineral substances.

In compliance Out of compliance

Remarks: _____

LUR 6: None of the contaminants known to be present in the environmental media at the Brownfields Property, including those listed in paragraph 8.a. of the Brownfields Agreement, may be used or stored at the Brownfields Property without the prior approval of DENR or its successor in function, except in *de minimis* amounts for cleaning and other routine housekeeping activities.

In compliance Out of compliance

Remarks: _____

LUR 7: The Brownfields Property may not be used for agriculture, grazing, timbering or timber production.

In compliance Out of compliance

Remarks: _____

LUR 8: The Brownfields Property may not be used as a playground, other than as may be authorized in paragraph 12.a.i. of the Brownfields Agreement, or for child care centers or schools.

In compliance Out of compliance

Remarks: _____

LUR 9: The Brownfields Property may not be used for kennels, private animal pens or horse-riding.

In compliance Out of compliance

Remarks: _____

LUR 10: During January of each year after this Agreement becomes effective, the then current owner of any part of the Brownfields Property shall submit a notarized Land Use Restrictions Update to DENR or its successor in function certifying that:

- a. this Notice remains recorded at the Forsyth County Register of Deeds office, and these land use restrictions are being complied with;

- b. the Brownfields Property's soil cover, which serves as a landfill cap, has been inspected to determine that erosion has been minimized;
- c. the irrigation system is working properly; and
- d. the surficial components of the methane collection/venting system are in good repair.

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

This Land Use Restrictions Update is certified by Salem Recreational Fields
 owner of at least part of the Brownfields Property. Anna Gallimore

Name typed or printed of party making certification: Anna Gallimore
Salem Recreational Fields
Salem Academy + College

In the case of owners that are entities:

Signature of individual signing: Anna Gallimore
 Name typed or printed: Anna Gallimore
 Title: Director of Administration

In the case of all owners:

Date: 1-4-13

[use for LLCs]

[Name of LLC]

By: Salem Recreational Fields, LLC
Name typed or printed: Anna Gallimore
Member/Manager

NORTH CAROLINA
Forsyth COUNTY

I, Cheryl E. Hamilton, a Notary Public of the county and state aforesaid, certify that Anna Gallimore personally came before me this day and acknowledged that he/~~she~~ is a Member of Salem Recreational Fields 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 4 day of
January, 2013

Cheryl E. Hamilton
Name typed or printed: Cheryl E. Hamilton
Notary Public

My Commission expires: July 20, 2016

