

Brownfields Program
File Room Document Transmittal Sheet

23

Your Name: Shirley Liggins
Project ID: 0701703060
Facility Name: South Tryon - Citispace
Document Group: Land Use Restriction Updates (LURU)
Document Type: Annual Certification (AC)
Description: 2012 Annual certification
Date of Doc: 1/26/2012
Author of Doc: Joe Murray

File Room Use Only

Date Recieved by File Room:

Date Scanned:

Month	Day	Year
8	10	12

0701703060

Scanner's Initials: *sal*

LUR 4: 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 5: No basements may be constructed on the Brownfields Property unless they are, as determined by DENR or its successor in function, vented in conformance with applicable building codes.

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 7 of the Brownfields Agreement ("Agreement"), may be used or stored at the 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 as a park or for sports of any kind, including, but not limited to, golf, football, soccer and baseball, without the approval of DENR or its successor in function.

In compliance Out of compliance

Remarks: _____

LUR 8: The Brownfields Property may not be used for agriculture, grazing, timbering or timber production.

In compliance Out of compliance

Remarks: _____

LUR 9: The Brownfields Property may not be used as a playground, or for child care centers or schools.

In compliance Out of compliance

Remarks: _____

LUR 10: The Brownfields Property may not be used for kennels, private animal pens or horse-riding.

In compliance Out of compliance

Remarks: _____

LUR 11: 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 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

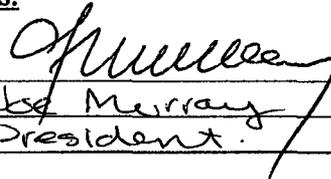
Remarks: _____

Notarized signing and submittal of this Land Use Restrictions Update constitutes certification that 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 Citispac in Southend Condominium Association, Inc., owner of at least part of the Brownfields Property.

Name typed or printed of party making certification: Citispac in Southen Condominium Association, Inc.

In the case of owners that are entities:

Signature of individual signing: 
Name typed or printed: Joe Murray
Title: President.

In the case of all owners:

Date: 1/26/12

Citispac in Southend Condominium Association,
Inc.

By: [Signature]
Name typed or printed: Joe Murray
Title typed or printed: President

ATTEST:

[Signature]

Name typed or printed: Tim Demit
Secretary, Citispac in Southend Condominium Association, Inc.

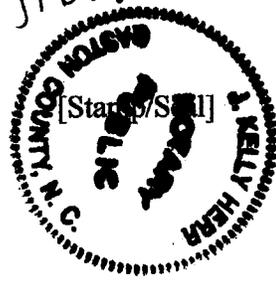
NORTH CAROLINA
Gaston COUNTY

I, J. Kelly Herr, a Notary Public of the county and state aforesaid, certify that Tim Demit personally came before me this day and acknowledged that he/she is the Secretary of Citispac in Southend Condominium Association, Inc., a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing Land Use Restriction Update was signed in its name by its President and attested by him/her as its Secretary.

WITNESS my hand and official stamp or seal, this 20th day of January, 2012.

[Signature]
Name: J. Kelly Herr
Notary Public

My Commission expires: 4-26-16



[Insert Name of LLC]

Unit Ownership

Address	Unit	Owner
2010 South Tryon Street	Suite 1A	2010 S. Tryon LLC
2010 South Tryon Street	Suite 1B	Citispac 3A Partners
2010 South Tryon Street	Suite 1C	Green Street V, LLC
2010 South Tryon Street	Suite 1D	First Citizens Bank & Trust
2020 South Tryon	2B	Tremont at Tryon LLC
2020 South Tryon Street	Suite 2A	Tremont at Tryon LLC
2030 South Tryon Street	Suite 3A	Jammes Property Holdings, LLC
2030 South Tryon Street	Suite 3B	Olson Development LLC
2030 South Tryon Street	Suite 3C	Snake River Development, LLC
2030 South Tryon Street	Suite 3D	Murray Ellison Murray LLC
2030 South Tryon Street	Suite 3E	Charles Walden, Sr
2030 South Tryon Street	Suite 3F	Timothy Crawford
2030 South Tryon Street	Suite 3G	Wilson Property Holdings LLC
2030 South Tryon Street	Suite 3H	2030 South Tryon LLC