



**Brownfields Project #:** 09060-05-60

**Brownfields Property:** Camden Square Second Amendment, W. Worthington  
Doggett & Hawkins Streets

**Property Owner (In whole or part):** 307 PARTNERS, LLC

**LAND USE RESTRICTIONS ("LUR") UPDATE**

LUR 1: No water supply wells may be installed or used at the Brownfields Property.

In compliance  Out of compliance

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 2: No mining activities may be conducted on the Brownfields Property.

In compliance  Out of compliance

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 3: No activities which result in direct exposure to, use of, or removal of groundwater (for example, construction or excavation activities which encounter or expose groundwater) may be conducted on the Brownfields Property without prior sampling and analysis of groundwater in the area where activities are to be conducted, provision of the analytical results to the Department Environment and Natural Resources ("DENR") or its successor in function along with plans and procedures to protect public health and the environment during those activities, and approval of those activities by DENR.

In compliance  Out of compliance

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 4: No fountains, ponds, lakes, or other items which are supplied, in whole or in part, by groundwater may be constructed on the Brownfields Property.

In compliance  Out of compliance

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

N/A

LUR 5: On the land denominated "Second Amendment Property" on the plat component of the Notice of Brownfields Property ("Notice"), no use may occur other than for residential, office, studio, or retail use. For purposes of this restriction, the following definitions apply:

- a. Residential: Use for a permanent dwelling of any single family, detached, duplex, triplex, quadraplex, attached or multifamily dwelling; any townhome or condominium; any manufactured home; any mobile home; any group home; any boarding house or any dormitory.
- b. Office: A place where business or professional services are conducted or rendered.
- c. Studio: A place where ideas, and plans and designs for implementation and/or production of those ideas, are developed.
- d. Retail: A place, the principle use or purpose of which is the sale of goods, products, or merchandise directly to the consumer.

In compliance  Out of compliance

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

N/A

LUR 6: On the land denominated "Second Amendment Property" on the plat component of the Notice, no slab-on-grade building may be constructed without a vapor barrier system and/or mechanical or passive vapor barrier mitigation system, at the Department of Environment and Natural Resources ("DENR") discretion installed in accordance with a plan approved in writing in advance by DENR. Unperforated sheeting

at least six (6) mils thick, a spray membrane liner system consisting of a material resistant to the contaminants listed in paragraph 2.b. of the Brownfields Agreement ("Agreement"), or another vapor barrier system may be proposed. No vapor barrier shall be approved that is not to be installed under the entire slab-on-grade foundation of the building, and sealed around any necessary penetrations, such as plumbing, utility chases, vertical pilings and other support structures underneath the slab, and overlapped, and taped, glued or otherwise stabilized, so as to minimize air migration pathways. Within thirty (30) days after installation of the vapor barrier system and/or vapor mitigation system, a professional engineer registered in North Carolina shall provide DENR certification under seal of proper installation, as well as photographs illustrating the installation and a brief narrative describing it. Non-slab-on-grade construction may not occur at the subject "Second Amendment Property" without DENR's prior written approval, which shall be conditioned, at a minimum, on the incorporation of measures to ensure that the subject "Second Amendment Property" is suitable for the uses specified in the documents comprising the Agreement.

In compliance \_\_\_\_ Out of compliance \_\_\_\_

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

N/A

LUR 7: On the land denominated "Second Amendment Property" on the plat component of the Notice, no building constructed may be used or occupied unless and until it is mechanically ventilated. Within thirty (30) days after installation of a mechanical ventilation system in a particular building, a professional engineer registered in North Carolina shall certify to DENR under seal that the system was installed as designed and that it complies with the Mechanical Ventilation section of the Ventilation chapter of the North Carolina Building Code.

In compliance \_\_\_\_ Out of compliance \_\_\_\_

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 8: During January of each year commencing in 2007, the then current owner of any property subject to the Seconded Amendment or the other documents comprising the Agreement shall submit a notarized Land Use Restrictions Update to DENR certifying that the Second Amendment Notice and the Notices recorded in connection with the other documents comprising the Agreement, remain recorded at the Mecklenburg County Register of Deeds' office and that all the Land Use Restrictions contained in the three (3) Notices 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 307 Partners, LLC, owner of at least part of the Brownfields Property.

Name typed or printed of party making certification: 307 Partners, LLC

In the case of owners that are entities:

Signature of individual signing: \_\_\_\_\_

Name typed or printed: \_\_\_\_\_

Title: \_\_\_\_\_

Anthony T. Pressley  
ANTHONY T. PRESSLEY  
Manager / member

In the case of all owners:

Date: 1-20-14

[use for LLCs]

[Name of LLC]

By: 307 Partners, LLC  
Name typed or printed:  
Member/Manager Anthony T Pressley

NORTH CAROLINA  
Gaston COUNTY

I, Amy W Gates, a Notary Public of the county and state aforesaid, certify that Anthony T Pressley personally came before me this day and acknowledged that he/she is a Member of 307 Partners, LLC, a NC (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 28<sup>th</sup> day of January, 2014

Amy W Gates  
Name typed or printed:  
Notary Public

My Commission expires: 8-14-16

[Stamp/Seal]

