



North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

October 2, 2012

Mr. Gregg Sandreuter
c/o Susan Barden
Kilpatrick Townsend
4208 Six forks Rd, Suite 1400
Raleigh, NC 28709

Subject: Conclusion of Brownfields Agreement Process
EDISON BROWNFIELDS PROJECT
109 E. Davie St; 301, 305, 307, 313, & 343 S. Wilmington St.
Raleigh, Wake County, North Carolina
N.C. Brownfields Project Number 11038-07-92

Dear Mr. Sandreuter:

We are very pleased the Brownfields Agreement process regarding the Edison project is approaching successful conclusion. To that end, please find enclosed the Notice of Brownfields Property (Notice), the Brownfields Agreement (Agreement) and the Mylar® survey plat for this Property, all certified by the North Carolina Department of Environment and Natural Resources (DENR) via the signature of Linda M. Culpepper, Deputy Director of the Division of Waste Management.

Please promptly have all necessary parties on the Prospective Developers side of the transaction sign and notarize the Notice and sign the Agreement. In addition, you are responsible for obtaining the notarized signatures in the spaces provided of the other two individuals who currently own portions of the Brownfields Property, indicating their acknowledgement of the land use restrictions being imposed thereon. Please file the documents for recordation with the Register of Deeds of Wake County.

Documents to be recorded are:

- The Notice of Brownfields Property (signed and notarized),
- Exhibit A (signed Brownfields Agreement),
- Exhibit B (8 ½ x 11 reduction of the plat),
- Exhibit C (Legal Description),
- Exhibit 1 (Area Location Map),
- Exhibit 2 (environmental data tables) and
- Full-sized survey plat (signed by DENR).

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N.C.G.S. § 130A-310.35(b) requires filing of the Notice within 15 days of Prospective Developer's receipt of DENR's approval of the Notice or Prospective Developer's entry into the Brownfields Agreement, whichever is later.

You are responsible for obtaining the Register of Deeds signature at the end of the Notice, although the Register of Deeds' stamp at the top of the Notice's first page with the Book and Page numbers where both the Notice and the plat are recorded will suffice. Upon your filing of the Notice, the Register of Deeds is required by N.C.G.S. § 130A-310.35(c) to record and index it in the grantor index under the names of the owners of the land, and, if different, also under the name of the Prospective Developer.

Pursuant to paragraph 19 of the Agreement, within three days after the Register of Deeds has recorded the Notice of Brownfields Property, you must furnish DENR a copy of the Notice containing a certification by the Register of Deeds as to the Book and Page numbers where both the Notice and the plat are recorded, and a copy of the actual, full-sized plat with notations by the Register of Deeds indicating its recordation. (Make sure that the exhibits to the Notice are attached to the certified copy you furnish DENR.) Please send these items to:

Ms. Shirley Liggins
N.C. Division of Waste Management
Brownfields Program
Mail Service Center 1646
Raleigh, NC 27699-1646

Thank you for your attention to these final administrative matters, and also for your help during the course of completing the Brownfields Agreement process regarding this site.

Sincerely,



Bruce Nicholson
Brownfields Program Manager

Enclosures

cc: Linda Culpepper, NCDENR
Tony Duque, NCDENR
Shirley Liggins, NCDENR