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# Ashland Construction Company

4601 Atlantic Ave Raleigh NC 27604 919-872-7500 Fax 919-872-7913

January 9, 2006

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Top Hat Plan Exemption Group  
Employee Benefits Security Administration  
Room N-5644  
U. S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

## Registration Statement For "Top-Hat" Plan

Dear Sir or Madam:

Pursuant to Department of Labor Regulation Section 2520.104-23, as amended, Ashland Construction Company (the "Company"), 4601 Atlantic Avenue, Raleigh, NC 27604, Employer Identification Number (EIN) 56-1086149, hereby declares that it is an employer that maintains an employee benefit plan primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees.

The Company maintains the *Ashland Construction Company 2005 Equity Appreciation Plan* (the "Plan"), effective January 1, 2005, which currently has 10 (ten) participants.

Upon request, as required by Section 104(a)(6) of the Employee Retirement Income Security Act of 1974, as amended, a copy of any written plan document will be provided to the Secretary of Labor or his or her delegate.

Sincerely yours,

**Ashland Construction Company**

Robert A. Boyette, President

cc: Luther H. Carrington, CPA  
Mark S. Dray, Esq.

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