



NORWEGIAN PROPERTY

Oslo, 23 February 2010

4th quarter and preliminary annual results 2009

# Agenda

## Highlights and key figures

Olav Line

Financial update

Svein Hov Skjelle

Markets & operations:

Olav Line

- Office portfolio
- Hotel portfolio

Strategy for long-term value creation

Olav Line

Closing remarks

Olav Line

Q&A session

## 4Q 2009

# Stable operations, new strategic direction

- **Gross rental income; NOK 430.1 million**
- **Profit before tax and fair value adjustments; NOK 72.9 million (+ 25 percent y/y)**
- **Strong cash flow from operations; NOK 187.5 million**
- **Value adjustments; negative for hotel portfolio, positive for office**
- **40 office lease agreements renegotiated; rental uplift 18.8 percent**
- **Board of Directors approved new strategy for long-term value creation**
  - Targets separation of hotel and office operations during 2010



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## 4Q 2009

# Income statement

NOK million	4Q 2009	4Q 2008	2009	2008
<b>Gross rental income</b>	<b>430.1</b>	<b>466.0</b>	<b>1 767.7</b>	<b>1 866.8</b>
Maintenance and property related cost	-38.7	-38.6	-147.0	-152.2
Administrative and group expenses	-49.3	-38.1	-165.9	-131.6
<b>Operating result before value adjustment</b>	<b>342.2</b>	<b>389.2</b>	<b>1 454.7</b>	<b>1 583.1</b>
Net financial items excluding derivatives and currency effects	-259.0	-289.2	-997.0	-1 063.4
<b>Profit before value adjustments and acquisition financing</b>	<b>83.2</b>	<b>100.0</b>	<b>457.7</b>	<b>519.6</b>
Net financial items, acquisition financing	-10.3	-41.7	-84.7	-207.4
<b>Profit before value adjustments</b>	<b>72.9</b>	<b>58.3</b>	<b>373.0</b>	<b>312.2</b>
Net gain on disposals	-17.1	-1.0	-7.1	34.4
Net gain/loss on value adjustments, investment properties	-280.8	-1 175.3	-1 517.4	-3 987.5
Impairment of goodwill	-84.3	-221.0	-308.8	-221.0
Change in market value of financial derivatives	33.0	-1 169.3	61.3	-1 257.0
<b>Profit before income tax</b>	<b>-276.3</b>	<b>-2 508.2</b>	<b>-1 399.0</b>	<b>-5 118.9</b>
Income tax	108.1	199.4	230.1	928.2
<b>Profit for the period</b>	<b>-168.2</b>	<b>-2 308.8</b>	<b>-1 168.9</b>	<b>-4 190.7</b>
Earnings per share (NOK)	-0.37	-11.45	-4.17	-26.65



# 4Q 2009

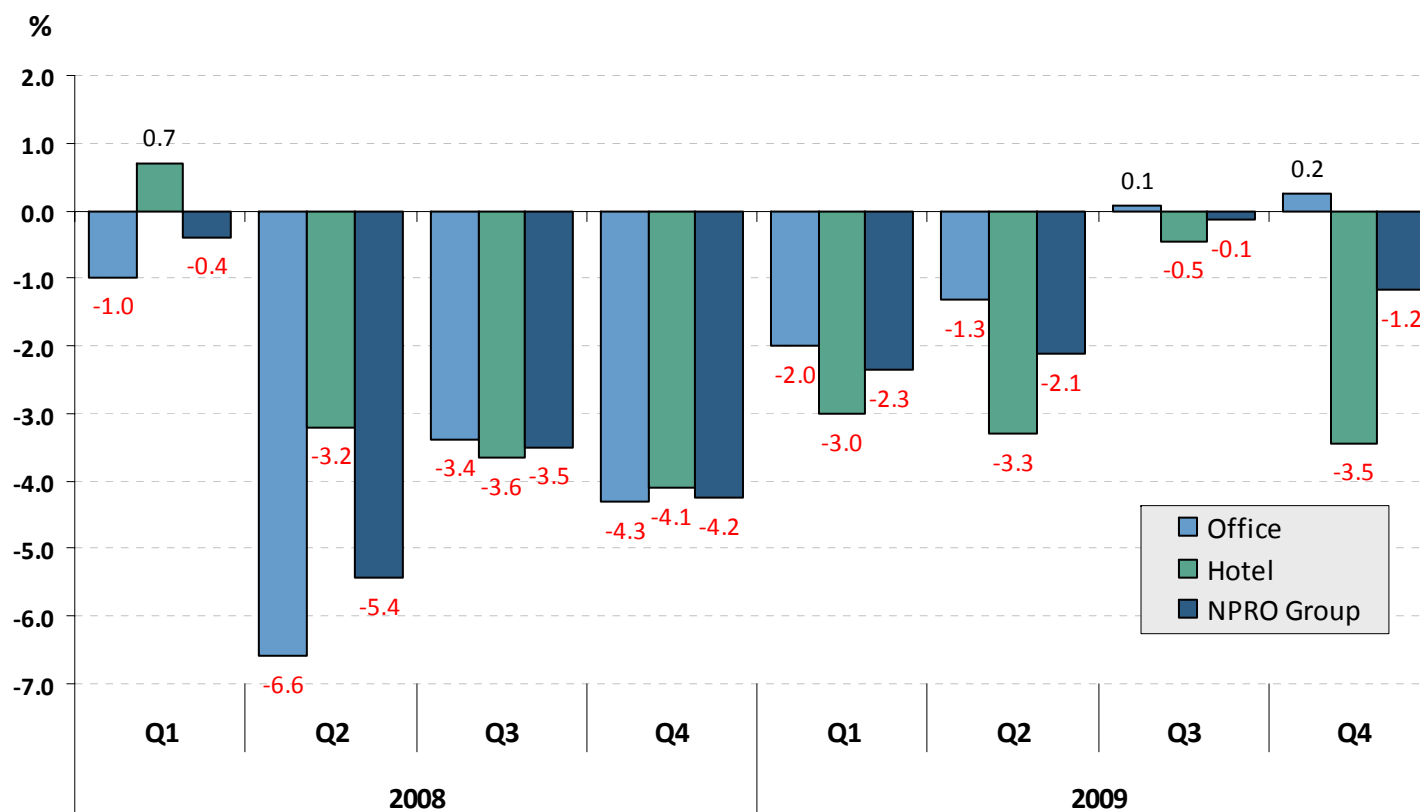
## Income statement by business segment

	Office		Hotel		OP		Total	
NOK million	4Q 09	4Q 08	4Q 09	4Q 08	4Q 09	4Q 08	4Q 09	4Q 08
<b>Gross rental income</b>	<b>261.9</b>	<b>264.4</b>	<b>168.2</b>	<b>201.6</b>	-	-	<b>430.1</b>	<b>466.0</b>
Maintenance and property related cost	-14.9	-13.9	-23.8	-24.7	-	-	-38.7	-38.6
Group expenses	-34.1	-14.7	-15.3	-22.7	0.1	-0.6	-49.3	-38.1
<b>Operating result before value adjustment</b>	<b>212.2</b>	<b>235.8</b>	<b>127.5</b>	<b>154.1</b>	<b>0.1</b>	<b>-0.6</b>	<b>342.2</b>	<b>389.3</b>
Net financial items excl. derivatives and currency	-171.7	-194.9	-87.3	-94.3	-	-	-259.0	-289.2
Net financial items, acquisition financing	-	-	-	-	-10.3	-41.7	-10.3	-41.7
<b>Profit before value adjustments, gains and tax</b>	<b>42.9</b>	<b>40.9</b>	<b>40.2</b>	<b>59.8</b>	<b>-10.2</b>	<b>-42.3</b>	<b>72.9</b>	<b>58.3</b>
Net gain on disposals	-17.1	-	-	-1.0	-	-	-17.1	-1.0
Net gain/loss value adj. investment properties	28.2	-750.9	-309.0	-424.4	-	-	-280.8	-1 175.3
Currency gain / loss	-	-2.9	1.3	-	-	-	1.3	-2.9
Impairment of goodwill	-	-	-84.3	-221.0	-	-	-84.3	-221.0
Change in market value of financial derivatives	10.7	-790.8	21.0	-375.6	-	-	31.7	-1 166.4
<b>Profit before income tax</b>	<b>64.7</b>	<b>-1 503.7</b>	<b>-330.8</b>	<b>-962.2</b>	<b>-10.2</b>	<b>-42.3</b>	<b>-276.3</b>	<b>-2 508.2</b>

## 4Q 2009

# Positive trend confirmed for office portfolio

- Negative fair value adjustment of 3.5 percent for hotel portfolio in 4Q, and positive adjustment of 0.2 percent for office portfolio
- Negative fair value adjustment of 1.2 percent on group level
- Accumulated -5.4 percent for the full year 2009 compared to -12.8 percent in 2008



4Q 2009

## Valuation of office portfolio - by area

- **External valuation by DTZ Realkapital and Akershus Eiendom**
  - Average market rent estimated to be 3.9 per cent higher than current payable rents ("uplift potential")
- **Increase in valuation NOK 28.2 million**
  - Negative effects from reduced inflation expectations
  - Positive effects from yield reductions

Area	Total space (m <sup>2</sup> )	Valuation		Gross rent		Net Yield *
		NOK million	NOK/m <sup>2</sup>	NOK million	NOK/m <sup>2</sup>	
Oslo – CBD	148 415	5 284	35 605	346	2 331	6.2%
Oslo – Skøyen	108 332	2 853	26 338	192	1 773	6.4%
Oslo – West / Lysaker / Fornebu	126 267	2 681	21 232	188	1 492	6.6%
Oslo – Nydalen	109 693	1 851	16 874	138	1 261	7.0%
Oslo – North / East	26 455	342	12 943	34	1 303	9.5%
Stavanger	114 703	2 017	17 586	150	1 306	7.0%
<b>Gross Total</b>	<b>633 864</b>	<b>15 029</b>	<b>23 710</b>	<b>1 049</b>	<b>1 655</b>	<b>6.6%</b>

\* Based on gross rent and estimated operating expenses of 5.6%



4Q 2009

## Valuation of hotel portfolio



- External valuation by DTZ Realkapital and Akershus Eiendom
- Valuation influenced by:
  - Negative RevPAR development
  - Review of long term capex needs in portfolio
- Decrease in portfolio value 4Q 2009:
  - Currency effects and other: NOK 587.6 million
  - Fair value adjustments: NOK 278.6 million
  - NOK 309.0 million

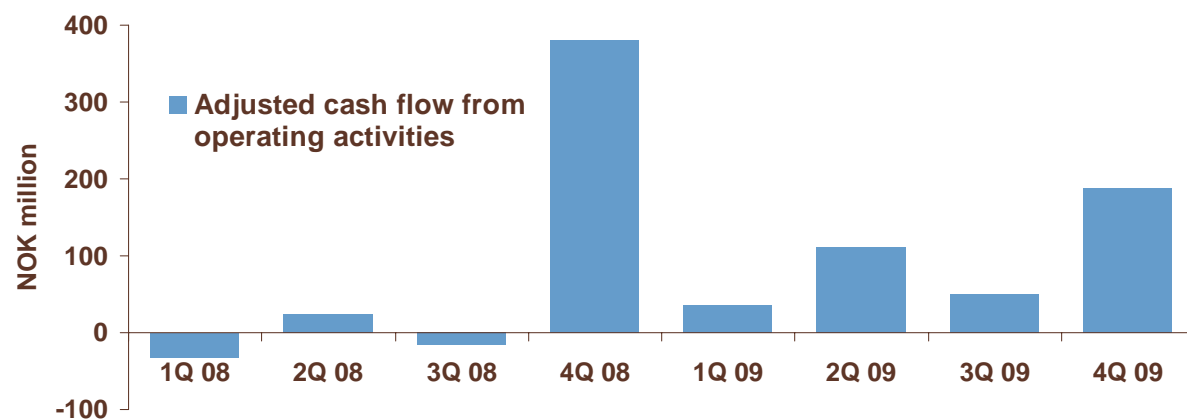
Country	Properties	Rooms	Value (NOK million)			Net yield *
			Total	Per property	Per room (NOK)	
Norway	14	2 410	2 160	154	896	8.0 %
Sweden	41	6 916	3 865	94	559	7.4 %
Finland	16	3 124	2 467	154	790	6.0 %
Denmark	3	434	430	143	991	5.3 %
Total	74	12 884	8 922	121	692	7.0 %

\* Based on rental income and expenses 2009 and valuation as of 31 December 2009 in local currency.

# 4Q 2009

## Cash flow

NOK million	4Q 2009	4Q 2008	2009	2008
<b>Cash flow from operating activities</b>	<b>455.5</b>	<b>670.0</b>	<b>1 480.0</b>	<b>1 715.7</b>
Net financial items (ex. market value adj. and currency gain/loss)	<b>-268.0</b>	-289.3	<b>-1 056.0</b>	-1 270.8
<b>Adjusted cash flow from operating activities</b>	<b>187.5</b>	<b>380.8</b>	<b>424.1</b>	<b>444.9</b>
Cash received from sale of assets	-	-	<b>1 052.4</b>	1 311.0
Purchase of tangible assets and subsidiaries	<b>-16.9</b>	-127.1	<b>-77.4</b>	-463.8
<b>Cash flow from investment activities</b>	<b>-16.9</b>	<b>-127.1</b>	<b>974.9</b>	<b>847.2</b>
Net change in interest bearing debt	<b>-106.5</b>	-155.9	<b>-2 730.8</b>	-3 843.5
Capital increases	-	-	<b>1 450.6</b>	2 345.9
Other financing activities	<b>-6.5</b>	-	<b>-35.1</b>	-263.7
<b>Adjusted cash flow from financing activities</b>	<b>-113.0</b>	<b>-155.9</b>	<b>-1 315.3</b>	<b>-1 761.3</b>
<b>Net change in cash</b>	<b>57.7</b>	<b>97.7</b>	<b>83.7</b>	<b>-469.3</b>
<b>Net cash at end of period</b>	<b>248.2</b>	<b>174.2</b>	<b>248.2</b>	<b>174.2</b>



# 4Q 2009

## Balance sheet

NOK million	31.12.2009	31.12.2008
Investment properties <sup>1)</sup>	23 732.7	27 312.6
Goodwill	580.2	885.6
Market value financial derivatives (net)	-462.5	-631.3
<b>Cash and cash equivalents</b>	<b>248.2</b>	<b>174.2</b>
Equity	4 918.0	5 001.2
<b>Long term interest bearing debt</b>	<b>17 781.3</b>	<b>21 022.0</b>
<b>Short term interest bearing debt</b>	<b>597.5</b>	<b>818.6</b>
Deferred tax liability	365.5	565.5
Net other assets	436.3	333.9
<b>Equity ratio</b>	<b>19.9 %</b>	<b>17.3 %</b>
Net asset value per share (NOK) <sup>2)</sup>	10.85	24.80
Net asset value per share (NOK), EPRA <sup>2)</sup>	12.84	30.14

1) Net of deferred tax at acquisition

2) Number of shares as per 31.12.2008: 201 635 416  
Number of shares as per 31.12.2009: 453 270 832

# 4Q 2009

## Financial position

Interest bearing debt and hedging as per 31.12.2009		NPRO	Norgani	SUM	OPAS	SUM
Total interest bearing debt	NOK million	11 454	6 255	17 709	719	18 428
- of which interest hedged	NOK million	13 253	6 224	19 477	-	19 477
Hedging ratio	Percent	115.7 %	99.5 %	110.0 %	-	105.7 %
Cash and cash equivalents	NOK million	180	63	243	4	248
Effective hedging ratio, including cash	Percent	117.3 %	100.5 %	111.4 %	0.6 %	107.0 %
Unused committed credit facilities (short and long term)	NOK million	310	55	365	-	365
Average remaining duration, hedging	Years	2.9	3.4	3.1	-	3.1
Average interest rate (including margin)	Percent	5.48 %	5.06 %	5.33 %	5.22 %	5.33 %
Average margin	Percent	0.71 %	1.24 %	0.90 %	3.03 %	0.98 %
Average remaining duration, borrowing	Years	2.8	3.6	3.1	2.5	3.0
Property value (gross of deferred tax at acquisition)	NOK million	14 810	8 922	23 732	-	23 732
Loan to value	Percent	77.3 %	70.1 %	74.6 %	78.2 %	77.7 %

## 4Q 2009

# Managing debt and hedging portfolio

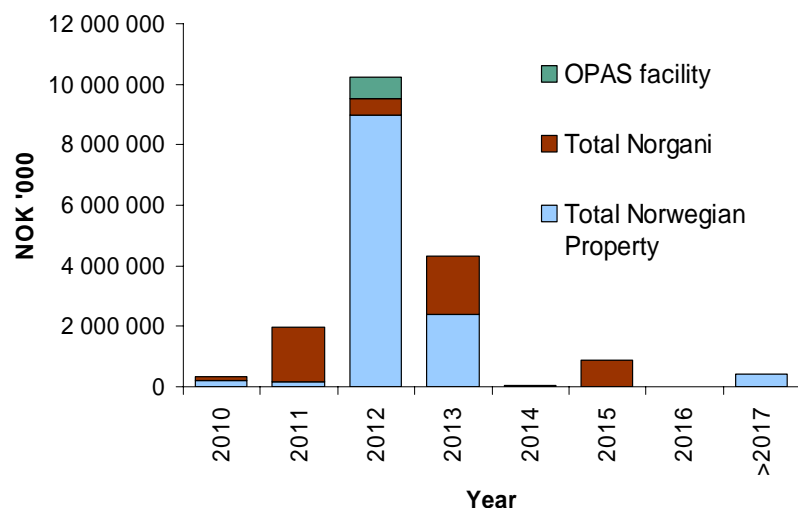
### ■ Duration on debt

- Debt expiring in 2010 renewed (new bond issue in January)
- Focus on extending debt maturities

### ■ Interest rate exposure

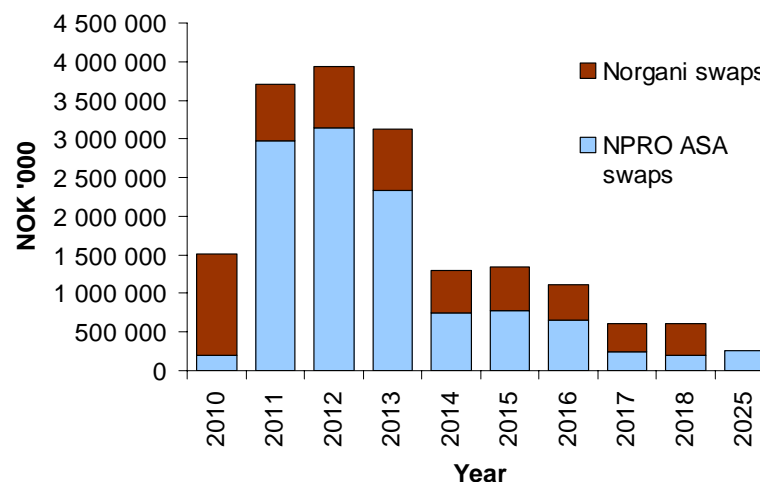
- Hedging ratio gradually reduced below 100 percent as swaps maturing are not extended
- Target hedging ratio of 70 percent or above as required in the borrowing facilities
- Targeting to increase average remaining duration on hedging (currently 3.1 years)

Maturity profile for loans



Maturities in 2010 relate to ordinary amortisations

Maturity profile for interest rate swaps



Not including NOK 2 000 million which expired in January 2010

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Q&A session



# Office portfolio

## Highlights 4Q 2009

- 40 new lease agreements, 18.8 percent uplift
- Trend of positive value adjustment of portfolio maintained
- Small share of contract portfolio up for renegotiation in 2010
- Market recovery underway

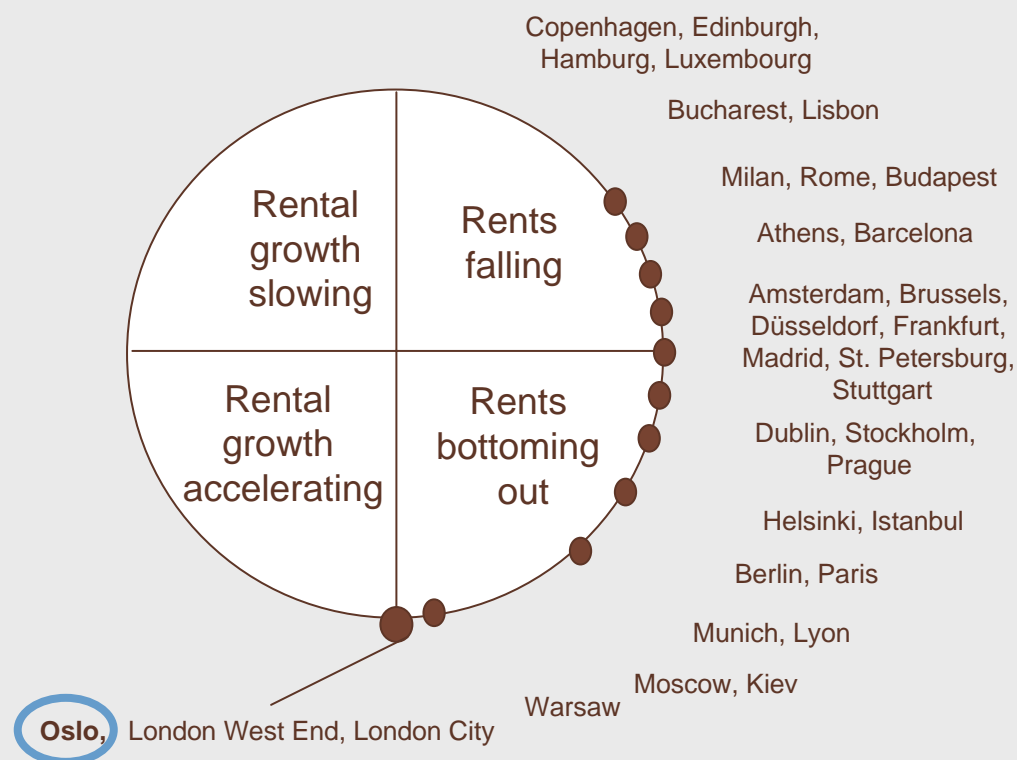


# Office portfolio

## Market recovery underway

- Rents stabilising and trending upwards
- Overall market vacancy peaking in 2011 for Oslo area\*)
- Transaction market improving
  - Availability of financing
  - Improvement in underlying markets

### European office market property clock 4Q 2009



Source: Jones Lang La Salle, Akershus Eiendom

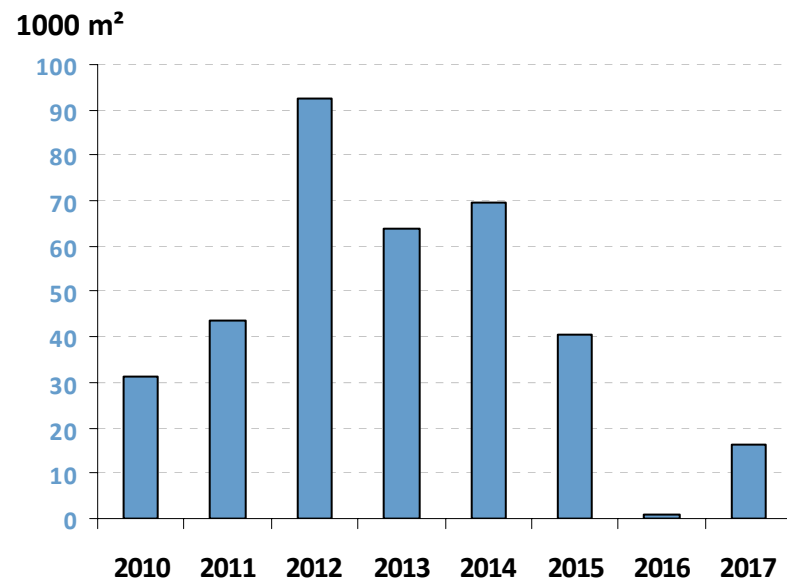
\*) Source: Akershus Eiendom

# Office portfolio

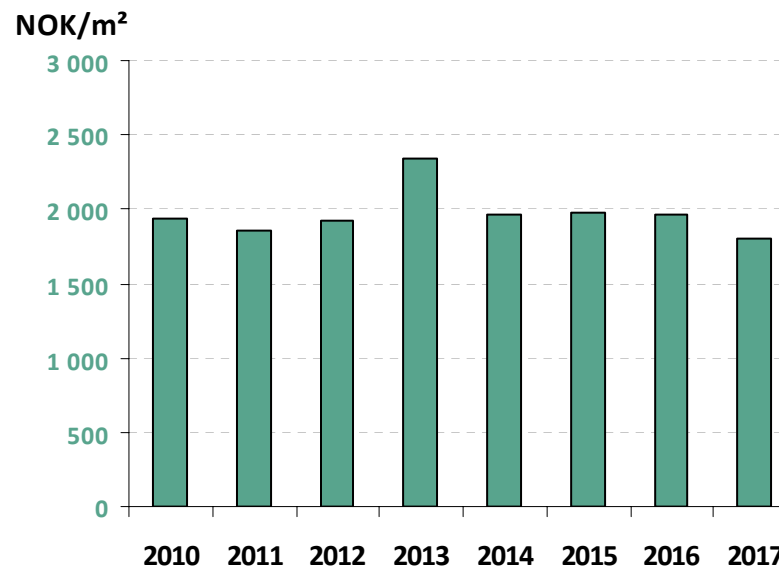
## Well positioned for market recovery

- 5.0 years duration of leases
- Vacancy at 2.0 percent
- Average current rent of NOK 1 655 per m<sup>2</sup> \*\*)
- 97.1 percent of lease volume is CPI adjusted (cash flow inflation hedge)

Volume expiring per year



Average existing rent by year of lease maturity\*)



\*) Office space only

\*\*) Including all areas

# Hotel portfolio

## Highlights 4Q 2009

- Value adjustments of minus 3.5 percent
- Operator company for Hotel Korpilampi in Finland bankrupt, dialogue with possible new operators and potential buyers ongoing
- New attractive operator agreement in Copenhagen
- Market cycle expected to bottom out in 2010 - Norgani well positioned for market recovery

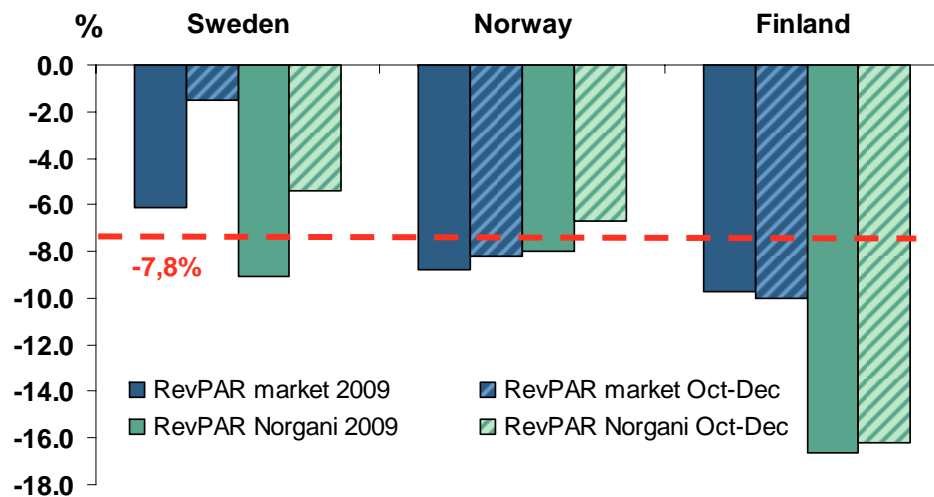


# Hotel portfolio

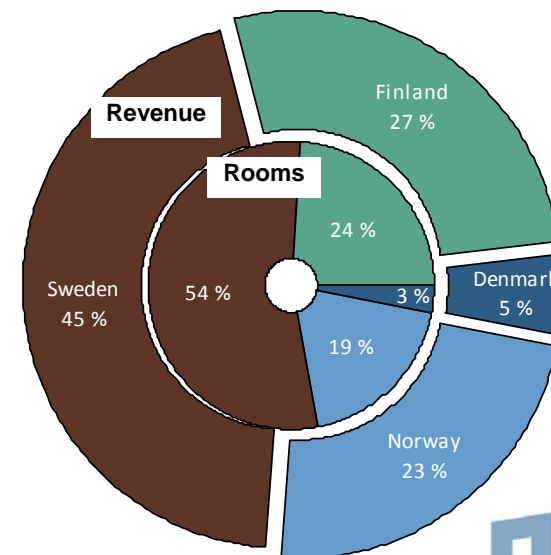
## RevPAR development

- Norgani 2009 revenues were 7.8 percent below 2008, minimum rents and seller guarantees limits income reductions
- Development in 4Q 09 improves YTD figures
- **Occupancy**
  - Summer season better than expected, and improved development from November, especially in Sweden
  - Current downturn similar to previous downturns in terms of who are hit the hardest;
    - International business, conference and tourism market
    - Capital areas
- **Room rates**
  - Improved development in 4Q
  - Capital cities have dropped somewhat more than expected, particularly in the upper range (suites etc.)
  - Regional areas are fairly stable

RevPAR development in the Nordic market vs. Norgani



Norgani geographical split by rooms and revenue

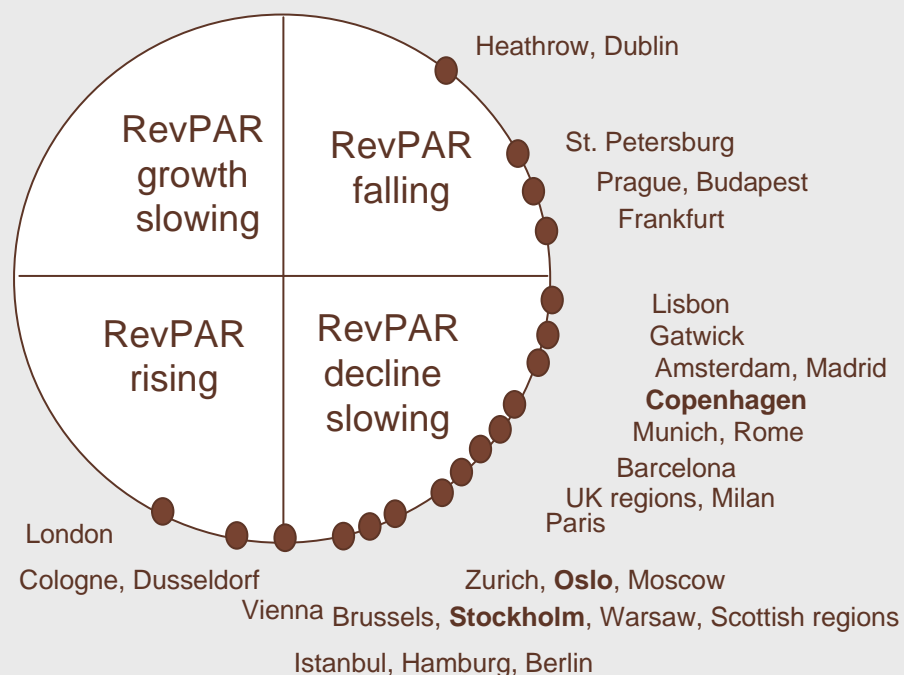


# Hotel portfolio

## RevPAR decline slowing

- Falling RevPAR levels in Norgani's main markets, stabilising towards the end of the year
- Market cycle expected to bottom out in 2010 - Norgani well positioned for market recovery

### European hotel market property clock 4Q 2009

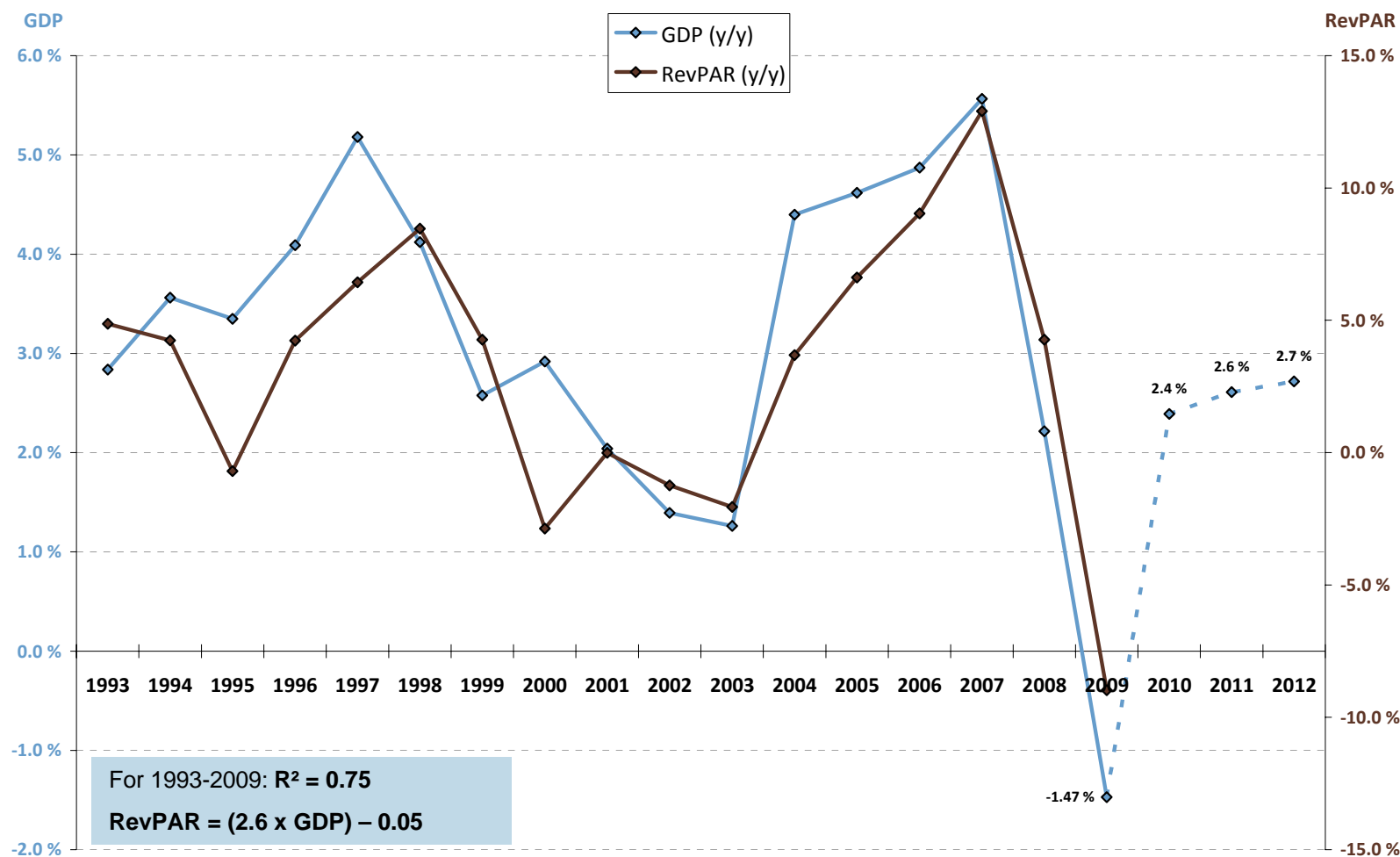


Source: Jones Lang La Salle Hotels



# Hotel portfolio

## Expected recovery will benefit hotel market



\* Both GDP and RevPAR historical data are SSB official numbers for Norway  
 \* GDP estimates 2009-12 is the average of latest estimates from: SSB, DnB NOR, N-B, Nordea and SEB

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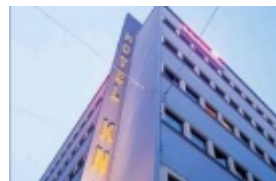
Olav Line

Q&A session

# Strategy for value creation

## Norwegian Property today

- **Offices**
  - Norway, Oslo and Stavanger
  - Prime properties
  - Portfolio value: NOK 15.0 billion
  - Market in recovery
- **Hotels**
  - Norway, Denmark, Sweden and Finland
  - Mid segment hotels
  - Portfolio value: NOK 8.9 billion
  - Market recovery expected late 2010 / 2011
- **Limited synergies** realised between office and hotel operations
- Office and hotel business **separately operated** with dedicated organisations
- **Lag in recovery** (cycle) between office and hotel
- **Focused operations** enhance value creation



# Strategy for value creation

## Targets separation during 2010

### OFFICE



Pure prime office  
company – fully  
integrated

### HOTEL



Nordic no1  
hotel property  
owner

- **Businesses more effectively developed under separate structures and ownership**
  - Enhanced focus believed to benefit operations
  - Strategic opportunities available may be more efficiently realised with two separate companies
- **Both operations are self-contained and with critical mass, including in relation to the capital market**
- **ABG Sundal Collier engaged as financial advisor for the separation process**

# Strategy for value creation in hotel and office business

## Focus on key value drivers

**Increase customer focus**

**Strengthen financial platform; balance financial risk**

- Long term target of reducing LTV to 60-65 percent
- Secure competitive return on equity

**Strengthen operations; focus on entire value chain**


**Key value drivers:**

Letting

Property management

Development

Transactions & financing



Two fully integrated  
property companies

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# Focus on long-term value drivers

**Stable 4Q operations**

**Market recovery in sight**

**Process initiated to separate company**

**Focus on long-term value drivers**



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**Appendix**

## Office portfolio

# Overview of portfolio of commercial properties



Run rate as of 1 January 2010

### Portfolio

Number of properties

48

Total size (m<sup>2</sup>)

633 864

Average size per property (m<sup>2</sup>)

13 205

Average value per m<sup>2</sup> (NOK)

23 710

Average value per property (MNOK)

313

Average rent per m<sup>2</sup> (NOK)

1 655

### Valuation

Market value (MNOK)

15 029

Gross rent (MNOK)

1 048.9

Opex (MNOK)

58.7

Net rent (MNOK)

990.2

Gross yield, contractual rent

7.0 %

Net yield, contractual rent

6.6 %

Gross yield, market rent\*

7.4 %

Net yield, market rent\*

7.0 %

Duration (years)

5.0

CPI adjustment (2009)

97.1 %

Vacancy (excl. warehouse and parking)

2.0 %



<sup>\*)</sup> Market rent is assessed by DTZ Realkapital and Akershus Eiendom to be 3.9 % (weighted average) above current contractual rents

## Office portfolio

### Exposure to prime locations in Oslo



<ul style="list-style-type: none"> <li>▪ 3 properties</li> <li>▪ Office: 62 153 m<sup>2</sup></li> <li>▪ Indoor Parking: 29 002 m<sup>2</sup></li> <li>▪ Total: 92 948 m<sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>▪ 11 properties</li> <li>▪ Office: 75 090 m<sup>2</sup></li> <li>▪ Indoor Parking: 18 080 m<sup>2</sup></li> <li>▪ Total: 108 332 m<sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>▪ 1 property</li> <li>▪ Office: 26 847 m<sup>2</sup></li> <li>▪ Indoor Parking: 3 000 m<sup>2</sup></li> <li>▪ Total: 33 319 m<sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>▪ 11 properties</li> <li>▪ Office: 96 314 m<sup>2</sup></li> <li>▪ Retail: 27 431 m<sup>2</sup></li> <li>▪ Total: 148 415 m<sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>▪ 12 properties</li> <li>▪ Office: 67 835 m<sup>2</sup></li> <li>▪ Indoor Parking: 26 289 m<sup>2</sup></li> <li>▪ Total: 109 693 m<sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>▪ 1 property at Gardermoen and 1 at Tøyen</li> <li>▪ Office 5 479 m<sup>2</sup></li> <li>▪ Warehouse: 20 976 m<sup>2</sup></li> </ul>
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## Office portfolio

# Strategic locations in Stavanger; the oil and gas cluster

### Finnestadveien 44

- Office: 22 032 m<sup>2</sup>
- Total: 22 032 m<sup>2</sup>



### Maskinveien 32

- Office: 4 561 m<sup>2</sup>
- Total: 5 086 m<sup>2</sup>



### Svanholmen 2

- Office / Retail: 2 883 / 6 580 m<sup>2</sup>
- Total: 9 463 m<sup>2</sup>



### Grenseveien 21

- Office: 27 721 m<sup>2</sup>
- Total: 27 721 m<sup>2</sup>



### Badehusgaten 33-39

- Office: 16 673 m<sup>2</sup>
- Total: 21 528 m<sup>2</sup>



### Strandsvingen 10

- Office: 2 059 m<sup>2</sup>
- Total: 2 059 m<sup>2</sup>



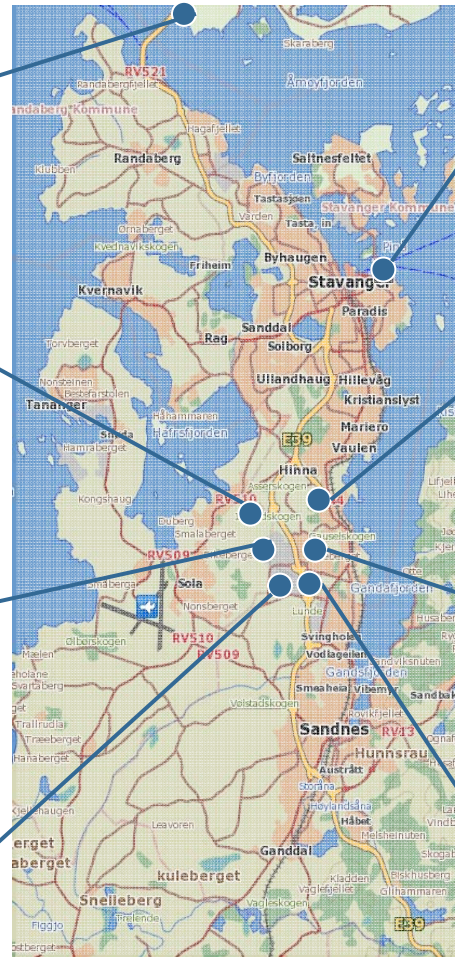
### Forusbeen 35

- Office: 17 674 m<sup>2</sup>
- Total: 21 424 m<sup>2</sup>



### Grenseveien 19

- Office: 5 390 m<sup>2</sup>
- Total: 5 390 m<sup>2</sup>



## Office portfolio

# Concentrated high quality customer base

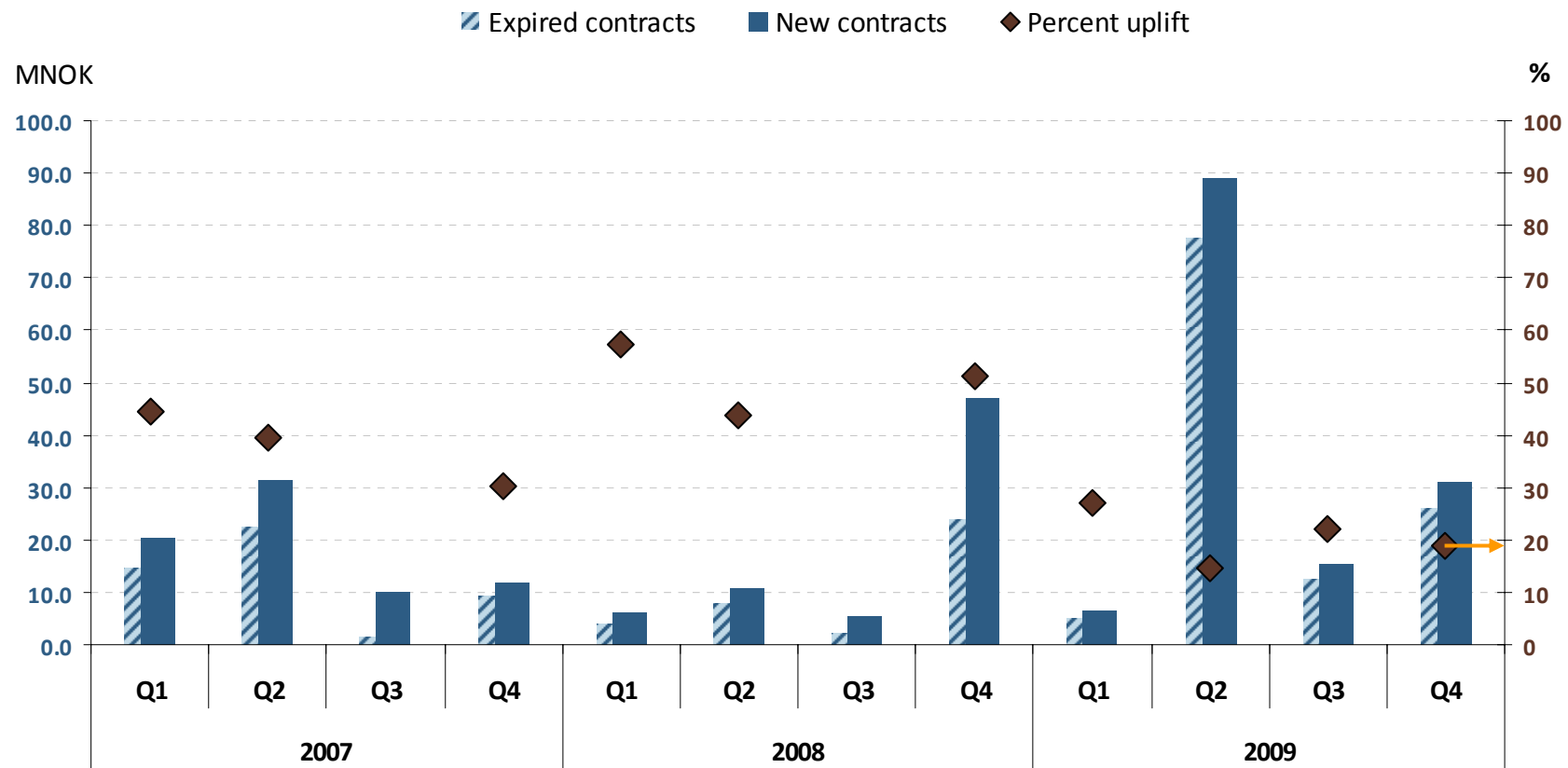
Tenant	Rent (MNOK)	Duration (years)	Share of total	Public sector participation	Listed at group level
EDB Business Partner ASA	84.2	9.2	8.0 %	✓	✓
Aker Solutions ASA	83.4	9.3	8.0 %	✓	✓
DnB NOR ASA	72.7	3.3	6.9 %	✓	✓
Nordea	46.4	4.1	4.4 %	✓	✓
StatoilHydro ASA	43.2	3.1	4.1 %	✓	✓
SAS Scandinavian Airlines Norge AS	43.1	6.9	4.1 %	✓	✓
If Skadeforsikring	40.9	2.8	3.9 %		✓
Aker Offshore Partner AS	34.1	5.0	3.2 %	✓	✓
Total E&P Norway AS	31.2	8.1	3.0 %		✓
Höegh Autoliners Management AS	28.2	10.2	2.7 %		
Get AS	27.8	1.4	2.7 %		
Telenor Eiendom Holding AS	27.4	5.7	2.6 %	✓	✓
NetCom AS	24.2	2.9	2.3 %	✓	✓
Skanska Norge AS	22.3	5.3	2.1 %		✓
Fokus Bank	20.3	3.1	1.9 %	✓	✓
Atea ASA	18.8	2.7	1.8 %		✓
TDC AS	16.3	1.5	1.6 %		✓
NAV	15.5	1.7	1.5 %	✓	
Uno-X Energi AS	14.5	3.9	1.4 %		✓
Tieto Norway AS	13.9	2.6	1.3 %		✓
BW Offshore AS	11.8	3.9	1.1 %		✓
Simonsen Advokatfirma DA	11.7	3.0	1.1 %		
Økokrim	11.5	16.6	1.1 %	✓	
ErgoGroup AS	10.7	1.7	1.0 %	✓	
Schibsted Eiendom AS	9.6	4.0	0.9 %		✓
<b>Total 25 largest tenants</b>	<b>763.6</b>	<b>5.5</b>	<b>72.8 %</b>	<b>13 / 25</b>	<b>19 / 25</b>
<b>Total other tenants</b>	<b>285.2</b>	<b>3.7</b>	<b>27.2 %</b>		
<b>TOTAL ALL TENANTS</b>	<b>1 048.9</b>	<b>5.0</b>	<b>100.0 %</b>		

- Close customer follow-up
- Regular credit assessments of tenants
- Limited risk related to tenant defaults and renewals
- Top 25 tenants' average lease duration 5.5 years

## Office portfolio

# Uplift potential delivered

- 40 new lease agreements gives an uplift of 18.8 per cent over existing rent level
- Estimated uplift potential of 3.9 per cent





# Hotel portfolio

## Overview of hotel portfolio



As of 31 December 2009

### Portfolio

Number of properties	74
Number of rooms	12 884
Total size (m <sup>2</sup> )	671 480
Average size per property (m <sup>2</sup> )	9 074
Average value per m <sup>2</sup> (NOK)	13 287
Average value per property (MNOK)	121
Average value per room (NOK)	692 487

### Valuation

Market value (MNOK)	8 922
Gross rent 2009 (MNOK)	724
Net yield *	7.0 %
Remaining duration contracts (years) **	9.5
Minimum rent and seller guarantee 2010 (MNOK) **	569

\* Based on result 2009 and valuation as of 31 Dec

\*\* Based on budget 2010 currency rates  
EURNOK (8.44), SEKNOK (0.84) and DKKNOK (1.13)



## Hotel portfolio

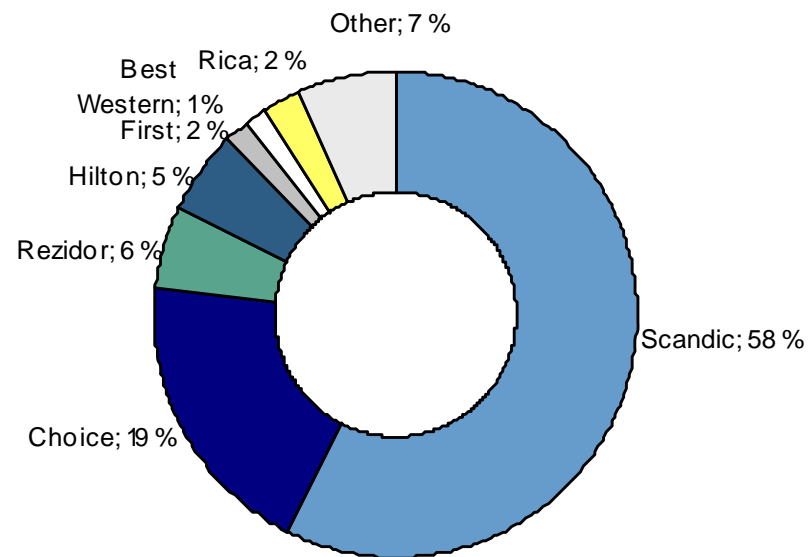
# The leading Scandinavian hotel company



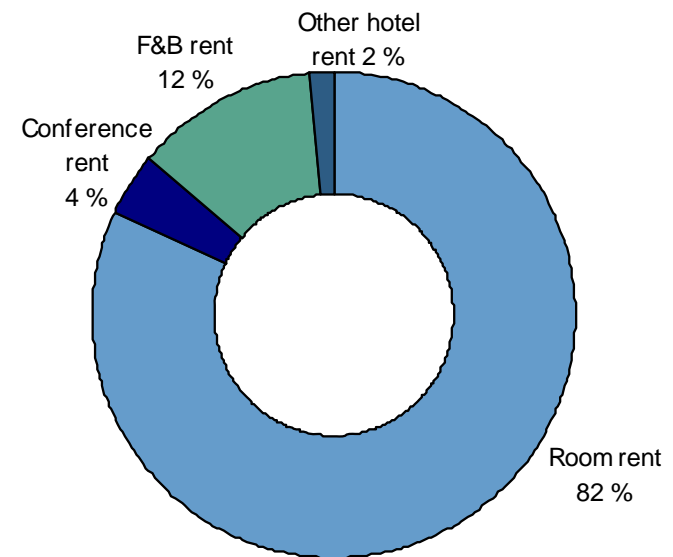
# Hotel portfolio

## Distribution of revenue

Brands



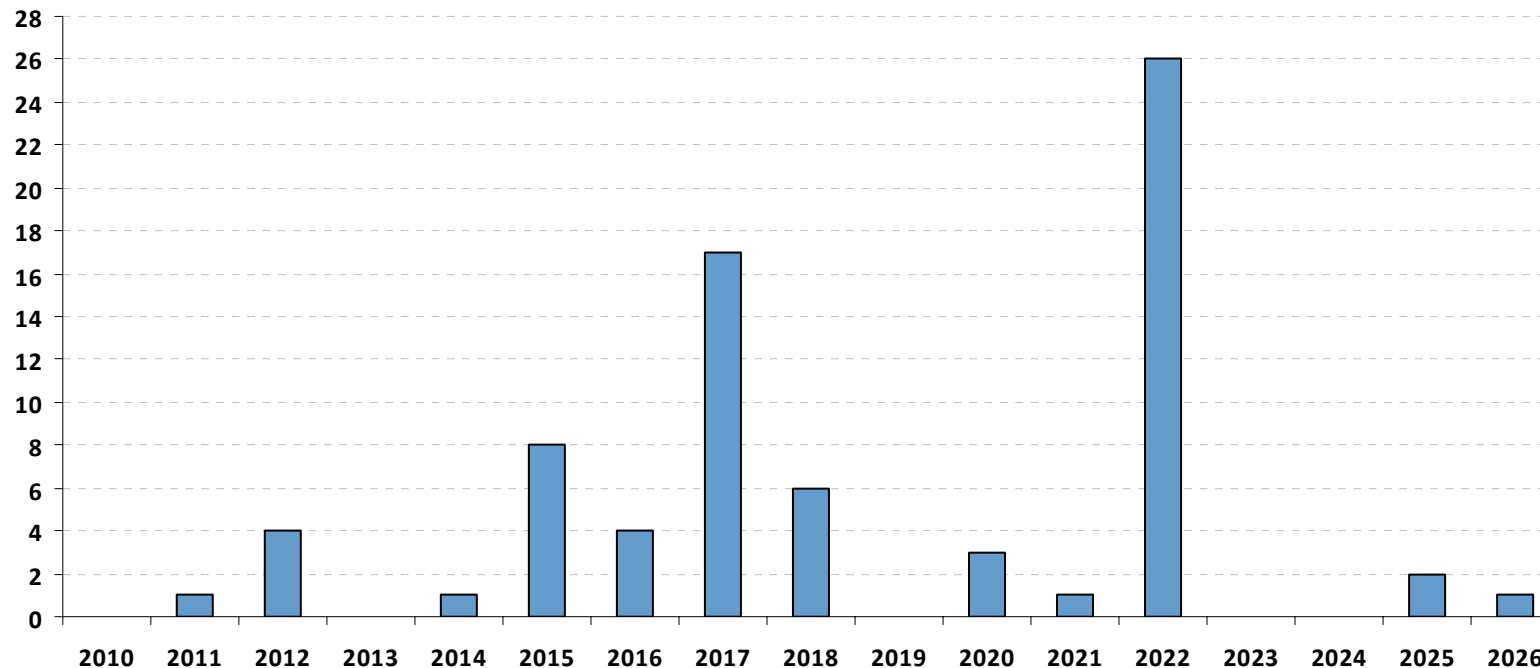
Type of revenue



# Hotel lease maturity profile

- **Average weighted duration of 9.5 years**
  - 9.9 years when including the new Hotel Europa agreement
- **Of the six leases maturing in 2011-2014, three are with smaller private operators**

Number of contracts



# Disclaimer

*The information included in this Presentation contains certain forward-looking statements that address activities, events or developments that Norwegian Property ASA (“the Company”) expects, projects, believes or anticipates will or may occur in the future. These statements are based on various assumptions made by the Company, which are beyond its control and are subject to certain additional risks and uncertainties. The Company is subject to a large number of risk factors including but not limited to economic and market conditions in the geographic areas and markets in which Norwegian Property is or will be operating, counterparty risk, interest rates, access to financing, fluctuations in currency exchange rates, and changes in governmental regulations. For a further description of other relevant risk factors we refer to Norwegian Property’s Annual Report for 2008. As a result of these and other risk factors, actual events and our actual results may differ materially from those indicated in or implied by such forward-looking statements. The reservation is also made that inaccuracies or mistakes may occur in the information given above about current status of the Company or its business. Any reliance on the information above is at the risk of the reader, and Norwegian Property disclaims any and all liability in this respect.*