

Brownfields Program
File Room Document Transmittal Sheet

23

Your Name: Shirley Liggins
Project ID: 0400800060
Facility Name: Baldor Electric
Document Group: Land Use Restriction Updates (LURU)
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Description: Notice of noncompliance
Date of Doc: 8/25/2011
Author of Doc: David Peacock

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

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Secretary

August 25, 2011

CERTIFIED MAIL

To Whom It May Concern
CIVF I - NC1M01, LLC
518 17th Street, Suite 1700
Denver, CO 80202

Subject: Notice of Noncompliance, N.C.G.S. §130A-310.35(f)
Annual Land Use Restrictions Update
Baldor Electric
3821 Barringer Drive
Mecklenburg County, Brownfields Project Number: 04008-00-60

Dear To Whom It May Concern:

Pursuant to the land use restrictions listed in the Notice of Brownfields Property recorded at the Mecklenburg County Register of Deeds, all owners of the brownfields property are required to submit an annual certification to maintain liability protection granted by the Brownfields Agreement for the subject property. Our records indicate that CIVF I - NC1M01, LLC is a current owner of at least part of the subject brownfields property and that an annual certification from this company has not been received.

To minimize the chance of an assessment and/or cleanup order, and/or civil penalties, CIVF I - NC1M01, LLC or its authorized agent should immediately complete, sign, notarize, and submit the attached Land Use Restrictions Update ("LURU") form to the following address:

NC Brownfields Program
Land Use Restrictions Update
Mail Service Center 1646
Raleigh, NC 27699-1646

Please retain a copy of the attached form for future LURU submittals or you may request an electronic version by e-mailing me at David.Peacock@ncdenr.gov.

Should you have any questions or have information showing that you have not owned any part of the brownfields property since the Notice of Brownfields Property was recorded, please contact me by telephone at (910) 796-7401 or by e-mail.

Sincerely,



David Peacock
Brownfields Compliance Coordinator

W/Enclosures

Cc: Central Files
Ec: Bruce Nicholson, NCDENR
Rob Gelblum, Special Deputy Atty. General

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To
To Whom It May Concern
Sen. CIVF I - NC1M01, LLC c/o DCT
Stre. Industrial Value Fund
or P 518 17th Street, Suite 1700
City Denver, CO 80202

PS Form 3800, August 2006

See Reverse for Instructions