



Home Depot

**[Date]**

Ms. Daphne Olszewski  
Brownfields Program Project Manager  
Division of Waste Management  
401 Oberlin Road, Suite 150  
1646 Mail Service Center  
Raleigh, North Carolina 27699-1646

Re: Land Use Restrictions Update and Certification 2005  
CNR Properties RLLLP  
4750 South Boulevard, Charlotte, North Carolina  
BF No. 07024-03-60

Dear Ms. Olszewski:

In accordance with Paragraph Number 24(m) of the Brownfields Agreement (BFA) filed June 2004 between the North Carolina Department of Environment and Natural Resources (DENR) and CNR Properties RLLLP (CNR), for the property located at 4750 South Boulevard, Charlotte, North Carolina (Property), CNR is submitting this certification of Land Use Restrictions Update for 2005.

As stated in the BFA, each January following the BFA effective date, the Property owner shall submit a notarized Land Use Restrictions Update to the DENR certifying the following:

1. that the Notice of Brownfields Property containing the land use restrictions remains recorded at the Mecklenburg County Register of Deeds office;
2. the land use restrictions are being complied with; and,
3. the Property's vegetative cover is in good condition and there has been no soil erosion.

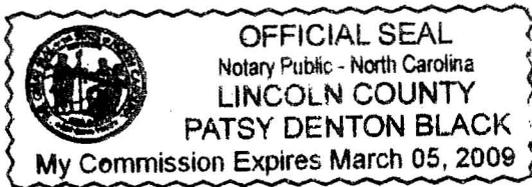
On February 7, 2005, Irminger Consulting, Inc. (IC) personnel on behalf of CNR reviewed the Property plat (Book 41, Page 743) at the Mecklenburg County Register of Deeds. The Land Use Restrictions as stated in the BFA were observed printed on the plat.

On February 3, 2005, IC personnel on behalf of CNR visited the Property and observed that the Land Use Restrictions as stated in the BFA were being complied with.

On February 3, 2005, IC personnel on behalf of CNR observed that the vegetative cover was in good condition and there has been no soil erosion.

THEREFORE, CNR Properties RLLP certifies that the Notice of Brownfields Property remains recorded at Mecklenberg County Register of Deeds office, the land use restrictions are being complied with, the Property's vegetative cover is in good condition and there has been no soil erosion.

IN WITNESS WHEREOF, CNR Properties RLLLP has caused this certification to be duly executed this \_\_\_\_ day of February, 2005.



CNR Properties, RLLLP

By:

A handwritten signature in cursive script, appearing to read "Charles N. Reid, Jr.", is written over a horizontal line.

Charles N. Reid, Jr.  
General Partner

NORTH CAROLINA  
Lincoln COUNTY

I, Patsy Denton Black, a Notary Public of the county and state aforesaid, certify that Charles N. Reid, Jr. personally came before me this day and acknowledged that he is the General Partner of CNR Properties, RLLLP, a North Carolina limited partnership, and that by authority duly given and as the act of the partnership, the foregoing certification was signed in his name by him.

WITNESS my hand and official stamp or seal, this 15 day of February, 2005.

A handwritten signature in cursive script, appearing to read "Patsy Denton Black", is written over a horizontal line.

Name typed of printed  
Notary Public

My Commission expires: 3-05-09

cc: James Ashburn, Esq.  
Clinton Taw Cole, Esq.  
HSSW File No. 1630-1441400  
HD CLMS No. 2000-001220