



North Carolina Department of Environment and Natural Resources

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

October 8, 2014

J. David Granberry  
Mecklenburg County Register of Deeds  
720 East Fourth Street  
Charlotte, NC 282002

Subject: Amendment to Notice of Brownfields Property  
Arrow Laundry & Cleaners Site  
4701, 4733, & 4735 Monroe Road  
Charlotte, Mecklenburg County  
Brownfields Project No 09011-05-060

Dear Ms. Granberry:

I write you in my capacity as a delegate of powers granted under the Brownfields Property Reuse Act (the Act), N.C.G.S. 130A-310.30, *et seq.* to the Secretary of the N.C. Department of Environment and Natural Resources (DENR).

On March 19, 2007, Lake City Tractor Supply, LLC filed for recordation at your office of a Notice of Brownfields Property (Notice) in connection with a Brownfields Agreement it had entered into with the North Carolina Department of Environment and Natural Resources (DENR) regarding the above-referenced parcels. These actions were taken pursuant to the Brownfields Property Reuse Act (the Act), N.C.G.S. 130A-310.30, *et seq.* The document shows Lake City Tractor, LLC. as owner of the subject property and was recorded in **Book 21931, Pages 172-204**(with the associated plat recorded in **Plat Book 47, Page 803**).

N.C.G.S. 130A-310.35(e) allows the Secretary of DENR to cancel a Notice if the landowner requests cancellation and the hazards that resulted in the Notice's recordation have been eliminated. I have been delegated the powers granted to the Secretary under the Act. Based on previous site assessment, site demolition, other information, and a September 9, 2014, written request from Mike Maschmeyer of Novos Development, LLC, on behalf of Lake City Tractor, LLC, I am hereby **cancelling the Notice's Land Use Restriction Numbers 2, 3, 7, 8, 10, and 11. Furthermore, the following Land Use Restrictions are revised as rewritten below:**

Land Use Restriction 5 is revised to read:

5. Unless compliance with this Land Use Restriction is waived in writing by DENR in advance in regard to particular activity, No activities that encounter, expose, or remove or use groundwater (for example, installation of water supply wells, fountains, ponds, lakes or swimming pools, or construction or excavation activities that encounter or expose

~~groundwater~~) may occur on the Brownfields Property without prior sampling and analysis of groundwater to the written satisfaction of DENR in any areas proposed for such activities, and submittal of the analytical results to DENR. If such results disclose to DENR contamination in excess of North Carolina's groundwater quality standards, the proposed activities may not occur without the prior written approval of DENR on such conditions as DENR imposes, including at a minimum compliance with plans and procedures, approved pursuant to applicable law, to protect public health and the environment during the proposed activities.

Land Use Restriction 6 is revised to read:

6. No building may be constructed on the Brownfields Property until DENR has been consulted regarding the proximity of the planned building to the Brownfields Property's volatile contaminant plume. If DENR determines that the footprint of the building would fall within ~~two~~ one hundred (2100) feet of said plume, it may not be constructed without a vapor barrier system and/or mechanical or passive vapor mitigation system, or other effective vapor mitigation system approved by DENR. Within thirty (30) days following installation of the mitigation system, DENR shall be provided certification of proper installation under seal of a professional engineer licensed in North Carolina, as well as photographs illustrating the installation and a brief narrative describing it.

Pursuant to N.C.G.S. 130A-310.35(e), send you this, which is a statement that the hazard for which the requirement was imposed has been eliminated and a request that the land use restrictions be cancelled and modified as described above. As required by N.C.G.S. 130A-310.35(e), this letter contains the name of the owner of the land as shown in the Notice and references the plat book and page where the Notice is recorded.

Pursuant to N.C.G.S. 130A-310.35(e), please record this statement in the deed books and index it on the grantor index in the names of the owners of the land as shown in the Notice and on the grantee index in the name "Secretary of Environment and Natural Resources." Also pursuant to N.C.G.S. 130A-310.35(e), if practicable please make a marginal entry on the Notice showing the date of cancellation and the book and page where this statement is recorded, and sign the entry. . If you would be so kind, please return to me a copy of this statement evidencing recordation.

We appreciate your assistance in this matter. If you have questions or require additional information, please contact Carolyn Minnich at (704) 661-0330 or [carolyn.minnich@ncdenr.gov](mailto:carolyn.minnich@ncdenr.gov).

Sincerely,



Michael E. Scott, Deputy Director  
Division of Waste Management

cc: Central Files

ec: Bruce Nicholson, Brownfields Program Manager  
Carolyn Minnich, NCDENR