

Brownfields Program  
File Room Document Transmittal Sheet

23

Your Name: Shirley Liggins  
Project ID: 1200208088  
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ROY COOPER  
ATTORNEY GENERAL

Reply to Robert R. Gelblum  
Environmental Division  
(919) 508-8408  
Fax: (919) 715-6358  
rob.gelblum@ncdenr.gov

July 19, 2011

Mr. John Hanselman  
Davidson River Village, LLC  
36 Washington Street  
Suite 220  
Wellesley, MA 02481

**Subject:** Conclusion of Brownfields Agreement Process  
Former Ecusta Site, Tract G  
Brevard, Transylvania County  
Brownfields Project Number 12002-08-88

Dear Mr. Hanselman:

We are very pleased to be bringing the Brownfields Agreement process regarding the subject project to a successful conclusion. To that end, please find enclosed the Notice of Brownfields Property (Notice) for this Property, certified by the North Carolina Department of Environment and Natural Resources (DENR) via the signature of Linda M. Culpepper, Deputy Director of the Division of Waste Management, on both the Notice's documentary and plat components. The Brownfields Agreement (Agreement) for this Property, signed as well for DENR by Ms. Culpepper, is also enclosed.

Please promptly effect signing, by the necessary persons on the Prospective Developer's side of this transaction, of the Agreement and the documentary component of the Notice (note the need for notarization of the signature on that document) and file the documentary component of the Notice, with its three exhibits (Exhibit A, the Agreement; Exhibit B, the 8½ by 11 reduction of the survey plat; and Exhibit C, the legal description of the Property), and the actual, full-sized survey plat, at the Transylvania County Register of Deeds' office. (N.C.G.S. § 130A-310.35(b) requires filing of the Notice within 15 days of Prospective Developer's receipt of DENR's approval of the Notice or Prospective Developer's entry into the Brownfields Agreement, whichever is later.)

You are responsible for obtaining the Register of Deeds signature at the end of the documentary component of the Notice, though the Register of Deeds' stamp at the top of that component's first page, reflecting the Book and Page numbers where both of the Notice's

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components are recorded, will suffice. Upon your filing of the Notice, the Register of Deeds is required by N.C.G.S. § 130A-310.35(c) to record it and index it in the grantor index under the names of the owners of the land, and, if different, also under the name of the Prospective Developer.

Pursuant to paragraph 21 of the Agreement, within three days after the Register of Deeds has recorded the Notice of Brownfields Property you must furnish DENR a copy of the documentary component of the Notice containing a certification by the Register of Deeds as to the Book and Page numbers where both the documentary and plat components of the Notice are recorded, and a copy of the actual, full-sized plat with notations by the Register of Deeds indicating its recordation. (Make sure that the exhibits to the documentary component of the Notice are attached to the certified copy you furnish DENR.) Please send these items to:

Ms. Shirley Liggins  
N.C. Division of Waste Management  
Brownfields Program  
401 Oberlin Road, Suite 150  
Raleigh, NC 27605

Thank you for your attention to these final administrative matters, and also for your help during the course of completing the Brownfields Agreement process regarding this site.

Yours truly,



Robert R. Gelblum  
Special Deputy Attorney General

Enclosures

cc: Bruce Nicholson, DENR  
Tracy Wahl, DENR