



# North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor  
William G. Ross Jr., Secretary

September 13, 2007

Via Hand Delivery

Filed  
Iredell County, NC  
Book 1885 Page 289  
Date: 9-20-07  
Time: 10:31 AM  
Brenda D. Bell Register of Deeds

Ms. Brenda D. Bell  
Iredell County Register of Deeds  
221 East Water Street  
Statesville, NC 28687-0788

Subject: Amendment of Notice of Brownfields Property  
Former V.F. Facility  
Statesville, Iredell County  
Brownfields Project No. 08006-04-49

Dear Ms. Pearson:

On February 27, 2006, a Notice of Brownfields Property (Notice) regarding the subject project was recorded in your office in **Book 1725, Page 2085** pursuant to the Brownfields Property Reuse Act (the Act), N.C.G.S. 130A-310.30, et seq. A Brownfields Agreement (Agreement) regarding the project constitutes Exhibit A to the Notice. As stated on the first page of the Notice, it was re-recorded on March 16, 2006, in **Book 1730, Page 2155** due to the need to fill in information on page 18 of Exhibit A.

The Notice's Land Use Restriction Number 1, and the Agreement's subparagraph 15.a., set forth the allowed uses of the subject property. On September 10, 2007, a representative of the property's owner, Statesville Partnership, LLC, requested via e-mail that "office" use also be allowed. That is acceptable to DENR, for which I speak in this regard as the delegate of powers granted to DENR's Secretary under the Act.

Thus, the Notice's Land Use Restriction Number 1 is hereby amended such that it now reads as follows:

**1. No use may be made of the Brownfields Property other than for light manufacturing and for the following commercial uses: warehousing, distribution, retail and office use. For purposes of this restriction, the following definitions apply:**

**a. "Light manufacturing" means the assembly, fabrication or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly,**

1646 Mail Service Center, Raleigh, North Carolina 27699-1646  
Phone 919-733-4996 \ FAX 919-715-3605 \ Internet <http://wastenotnc.org>  
An Equal Opportunity / Affirmative Action Employer - Printed on Dual Purpose Recycled Paper

fabrication or processing takes place, where such processes are housed entirely within a building, or where the area occupied by the outdoor storage of goods and material used in such processes does not exceed 25 percent of the floor area of all the buildings on the Brownfields wastewater.

b. "Commercial" refers to an occupation, employment or enterprise carried on for profit by the owner, lessee, or licensee.

c. "Retail" refers to an activity, the principal use or purpose of which is the sale of goods, products or merchandise directly to the consumer.

d. "Office" refers to a use or structure where business or professional services are conducted or rendered.

Subparagraph 15.a. of the Brownfields Agreement regarding the subject property (Exhibit A to the Notice) is hereby identically amended.

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 letter evidencing recordation.

We appreciate your assistance in this matter. If you have questions or require additional information, please contact DENR official Lisa Taber at (919) 508-8425 or [lisa.taber@ncmail.net](mailto:lisa.taber@ncmail.net).

Sincerely,



Linda M. Culpepper  
Deputy Director  
Division of Waste Management

cc: Central Files

ec: Bruce Nicholson, DENR Brownfields Program Manager  
Rob Gelblum, Special Deputy Attorney General  
Lisa Taber, DENR  
Jerry Deakle, Statesville Partnership, LLC