

Brownfields Program
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23

Your Name: Shirley Liggins
Project ID: 0501001060
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Date of Doc: 5/17/2002
Author of Doc: Peter J. McGrath, Jr.

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Moore & Van Allen

May 17, 2002

Peter J. McGrath Jr.
Attorney at Law

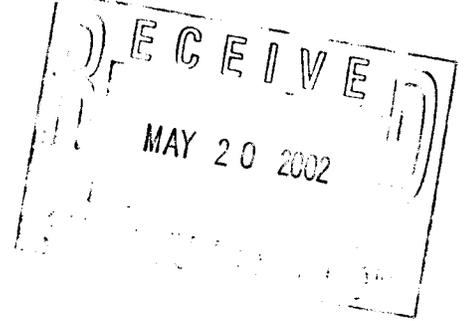
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VIA UPS

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Suite 4700
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Charlotte, NC 28202-4003

Mr. Tony Duque
North Carolina Department of Environment & Natural Resources
Division of Waste Management
Brownfields Program
401 Oberlin Road, Ste. 150
Raleigh, North Carolina 27605



**Re: ABC Engravers Property/724 North I-85, Charlotte, North Carolina
Mecklenburg County**

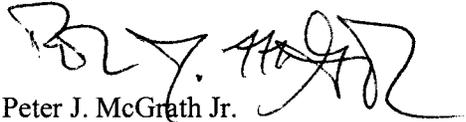
Dear Mr. Duque:

As we have discussed, I am forwarding an executed affidavit of Holden Business Park, LLC. As you know, Holden Business Park, L.L.C., as prospective developer, has submitted a letter of intent to enter the referenced property into the Brownfields Program.

Please call me if you have any questions. We appreciate your help on this project.

Very truly yours,

Moore & Van Allen PLLC


Peter J. McGrath Jr.

PJM/tsm

Enclosure

cc: Linda Holden

NORTH CAROLINA DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES

IN THE MATTER OF)
HOLDEN BUSINESS PARK, LLC,)

UNDER THE AUTHORITY OF)
NORTH CAROLINA GENERAL)
STATUTES § 130A-310.30, et seq.,)

RE: RESPONSIBILITY AND)
COMPLIANCE)

AFFIDAVIT

Ms. Linda Holden, being duly sworn, hereby deposes and says:

1. I am a Manager of Holden Business Park, L.L.C. ("HBP").

2. HBP is applying for a Brownfields Agreement with the North Carolina Department of Environment and Natural Resources, pursuant to N.C.G.S. 130A, Article 9, Part 5 (Brownfields Act), in relation to the property in Mecklenburg County, North Carolina: located at 724 N. I-85, Charlotte.

3. I hereby certify, under the pains and penalties of perjury and of the Brownfields Act, that HBP, and any parent, subsidiary or other affiliate meets the eligibility requirements of N.C.G.S. 130A-310.31(b)(10), in that it did not cause or contribute to the contamination at the parcel cited in the preceding paragraph.

4. I hereby certify, under the pains and penalties of perjury and of the Brownfields Act, that HBP meets the eligibility requirement of N.C.G.S. 130A-310.32(a)(1) in that it and any parent, subsidiary or other affiliate have substantially complied with:

a. the terms of any brownfields or similar agreement to which it or any parent, subsidiary or other affiliate has been a party;

b. the requirements applicable to any remediation in which it or any parent, subsidiary or other affiliate has previously engaged;

c. federal and state laws, regulations and rules for the protection of the environment.

Affiant further saith not.

Linda Holden
Linda Holden

May 16, 2002
Date

Sworn to and subscribed before me this 16th day of MAY, 2002.

Robert T. McLaughlin
Notary Public

My commission expires: 8/22/02

