

EXHIBIT 'E'

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

OWNER'S ACKNOWLEDGMENT AND CONSENT

JETEN PROPERTIES, INC. ("Owners") hereby execute this Owner's Acknowledgment and Consent as of the 23 day of August, 2000

- 1. We are the Owners of the Property located in CATAWBA County, North Carolina and described in more detail below (See Property Description).
- 2. We consent and acknowledge the use of coal ash as structural fill on the Property. Said Property is estimated to require approximately 90,000 cubic yards of coal ash. We also authorize Duke Energy Corporation and it employees, contractors and agents to enter the Property to review the placement of coal ash as required.

OWNER'S AGREEMENT TO RECORD

3. We the Owners of the Property further agree to record a statement of the volume and location of coal ash utilized on the property with the Register of Deeds in the county or counties where the Property is located. This recordation shall be in accordance with 15A NCAC 13B.1707.

Property Description (Court Records and Project Drawings):
DEED BOOK 2120, PAGE # 827

JETEN PROPERTIES, INC.
Owner
By Edward Tarantino
Owner

Date: 8-23-2000

I Jill Grigorian, a Notary Public in the County of Catawba and State of North Carolina certify that Edward Tarantino personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and Notarial seal, this 23rd day of August, 2000.

Jill Grigorian
Notary Public
My Commission Expires: April 1, 2003