



A Duke Energy Company

Technical Services Center
13339 Hagers Ferry Road
Huntersville, NC 28078-7929

Fax 704 875-5509

May 19, 1999

North Carolina Department of Environment and Natural Resources
Division of Waste Management
PO Box 29603
Raleigh, NC 27611-9603

Attention: Mr. Bill Hocutt
Mr. James C. Cathey

Re: Certificate of Compliance
NCDEHNR Solid Waste Management Rule 15A NCAC 13B Section .1706
Requirements for Beneficial Use of Coal Combustion By-Products

Gentlemen:

The letter shall serve as notice that the property owned by SunStar Inc., located on the west side of Highway 21 and east of I-77, .25 miles south of Huntersville exit 23 on I-77; has been developed with coal ash provided by Duke Energy from the Marshall Steam Station located in Terrell, NC.

This document is provided as evidence of compliance with all the requirements of NCDEHNR Solid Waste Management Rule 15A NCAC 13B Section .1700 and specifically to meet Section .1706 Closure of Structural Fill Facilities, part d except "Deed Recordation." Deed Recordation is the responsibility of SunStar Inc. and you will be notified under a separate letter when this has been completed.

Wendell T. Heavner, PE
Duke Engineering & Services

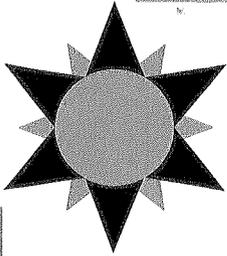


5/19/99

6/9/99

Shawn -

Has this been done? We may need to talk to Craig Miller.



SUNSTAR
INC.
Investments

July 20, 1999

North Carolina Department of Environment and Natural Resources
Division of Waste Management
PO Box 29603
Raleigh, NC 27611-9603

Attention: Mr. Bill Hocutt
Mr. James C. Cathey

Re: Deed Recordation, in accordance with G.S. 161-14

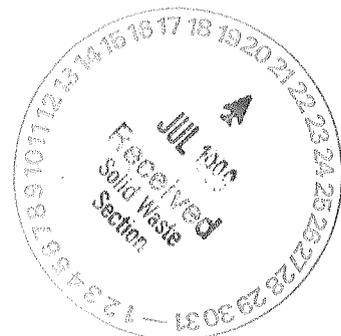
Gentlemen:

I am enclosing the original notarized statement from the Register of Deeds concerning the property owned by SunStar, Inc., located on the west side of Highway 21 and east of I-77, .25 miles south of Huntersville exit 23 on I-77. These registered documents satisfy NCDEHNR Solid Waste Management Rule 15A NCAC 13B Section .1707

Should you have any question, please call me at (704) 944-5165

Regards,

Shawn F. McClaren



Prepared by Shawn McClaren

and Mail original to: Shawn McClaren
~~674~~ 13900 Conlan Circle, Suite 245
Charlotte, NC 28277

FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
1999 JUN 10 01:43 PM
BOOK 10535 PAGE 41-43 FEE \$8 00
INSTRUMENT # 1999103152

STATE OF NORTH CAROLINA

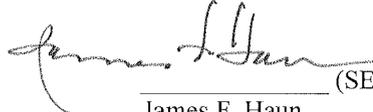
STATEMENT OF ENGINEERED ASH FILL

COUNTY OF MECKLENBURG

The undersigned, SunStar Inc. in accordance with the provisions of N.C.G.S. 130A-294 and 15A NCAC 13B.1703, acknowledge that it is the owner of the real property located at U.S. 21 and Gilead Road, Town of Huntersville, Mecklenburg County, North Carolina, and more specifically described on Map Plat (Tract A-Lot 1 and Tract A-Lot 2) attached hereto.

The undersigned further acknowledge that coal combustion products were beneficially utilized as engineered ash fill on the real property described on Map Plat (Tract A-Lot 1 and Tract A-Lot 2). The volume of coal combustion products placed within Tract A-Lot 1 and Tract A-Lot 2 is 75,137 tons of ash. This total volume of ash includes 66,157 tons of silo ash and 8,980 tons of pond ash. This project was a turn-key grading operation performed by the Ash Management Division of Duke Energy Corporation. The ash fill was generated and produced from Duke Energy's Marshall Steam Station.

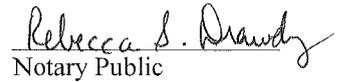
IN WITNESS WHEREOF, said parties have hereunto set their hand and have caused this instrument to be signed this 3rd day of May 1999.

 (SEAL)
James F. Haun
SunStar, Inc.

STATE OF NORTH CAROLINA

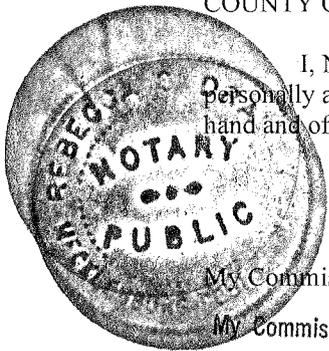
COUNTY OF MECKLENBURG

I, Notary Public for the County and State aforesaid do hereby certify that James F. Haun personally appeared before me and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal this the 3rd day of May, 1999.


Notary Public

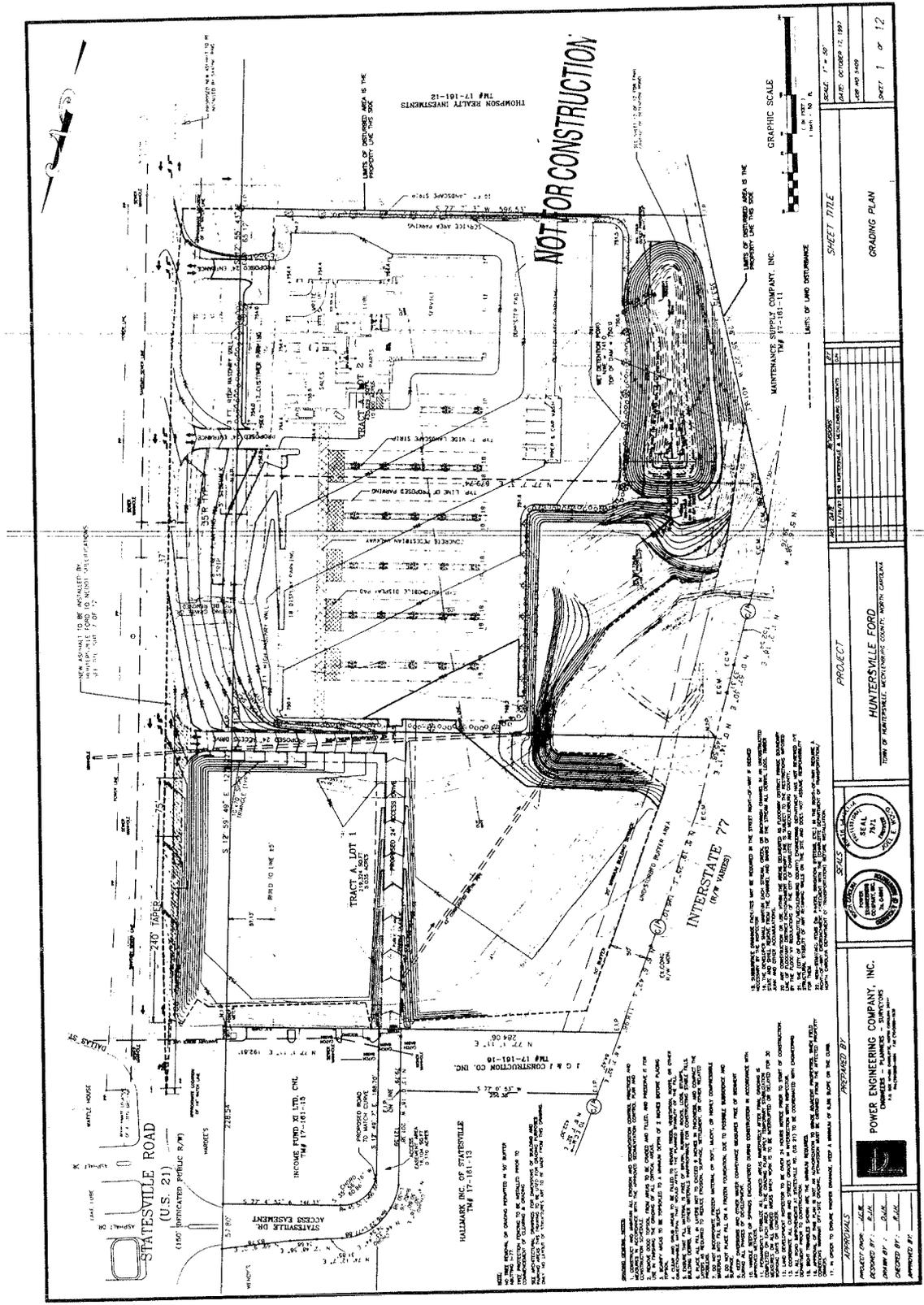
My Commission Expires:

My Commission Expires December 10, 2000



FOUNDA NICHOLS REVIEW OFFICER OF
MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Fonda Nichols Date: **6-10-99**
Review Officer

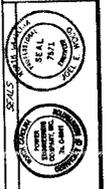


1. ALL DIMENSIONS SHOWN ON THIS PLAN ARE TO BE CONSIDERED AS THE CENTERLINE UNLESS OTHERWISE NOTED.
 2. THE PROPERTY SHOWN ON THIS PLAN IS THE PROPERTY OF THE STATE OF NORTH CAROLINA.
 3. THE STATE OF NORTH CAROLINA HAS THE RIGHT TO TAKE ANY PART OF THIS PROPERTY FOR PUBLIC USE.
 4. THE STATE OF NORTH CAROLINA HAS THE RIGHT TO TAKE ANY PART OF THIS PROPERTY FOR PUBLIC USE.
 5. THE STATE OF NORTH CAROLINA HAS THE RIGHT TO TAKE ANY PART OF THIS PROPERTY FOR PUBLIC USE.
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 7. THE STATE OF NORTH CAROLINA HAS THE RIGHT TO TAKE ANY PART OF THIS PROPERTY FOR PUBLIC USE.
 8. THE STATE OF NORTH CAROLINA HAS THE RIGHT TO TAKE ANY PART OF THIS PROPERTY FOR PUBLIC USE.
 9. THE STATE OF NORTH CAROLINA HAS THE RIGHT TO TAKE ANY PART OF THIS PROPERTY FOR PUBLIC USE.
 10. THE STATE OF NORTH CAROLINA HAS THE RIGHT TO TAKE ANY PART OF THIS PROPERTY FOR PUBLIC USE.

POWER ENGINEERING COMPANY, INC.
 ENGINEERS - PLANNERS - SURVEYORS
 1000 W. 10TH STREET, SUITE 100
 WILMINGTON, NC 28401
 PHONE: 704/762-1111
 FAX: 704/762-1112

PROJECT: HUNTERVILLE FORD
 TOWN OF HUNTERVILLE, MECKLENBURG COUNTY, NORTH CAROLINA

APPROVED BY: _____
 CHECKED BY: _____
 DRAWN BY: _____





JUDITH A. GIBSON
REGISTER OF DEEDS , MECKLENBURG COUNTY
COUNTY & COURTS OFFICE BUILDING
720 EAST FOURTH STREET
CHARLOTTE NC 28202

Filed For Registration: 06/10/1999 01:43 PM
Book: RE 10535 Page: 41-43
Document No.: 1999103152
NOTICE 3 PGS \$8.00

Recorder: LISA SHARPE

State of North Carolina, County of Mecklenburg

The foregoing certificate of REBECCA S DRAWDY Notary is certified to be correct. This 10TH of June 1999

JUDITH A. GIBSON, REGISTER OF DEEDS By: Lisa C Sharpe
Deputy/Assistant Register of Deeds



1999103152