

BRADSHAW & ROBINSON, LLP

ATTORNEYS AND COUNSELORS AT LAW

HALL-LONDON HOUSE

128 HILLSBORO STREET

POST OFFICE BOX 607

PITTSBORO, NORTH CAROLINA 27312

PATRICK E. BRADSHAW
NICOLAS P. ROBINSON
COURTNEY A. BOWEN
ANDREW T. SLAWTER

(919) 542-2400
FAX 542-0496
bradshaw@bradshawrobinson.com

November 13, 2006

Mrs. Lynn Richardson
Chatham County Planning Department
Post Office Box 54
Pittsboro, North Carolina 27312

VIA HAND DELIVERY

RE: Major Subdivision Application for Governors Village Townhomes Phase Three

Dear Lynn:

In connection with the application for preliminary and final subdivision approval for Governors Village Townhomes Phase Three, please find enclosed the following:

1. Major Subdivision Review Checklist;
2. Major Subdivision Application;
3. Adjacent Land Owners;
4. One 8 ½ x 11 copy of the proposed plat and 25 larger copies of the proposed plat;
5. Commercial Driveway Permit issued by the State of North Carolina Department of Transportation;
6. Certificate of Sedimentation and Erosion Control Plan Approval and Land-Disturbing Permit issued by the Chatham County Public Health Department;
7. Road Name Approval form issued by Chatham County Emergency Operations;
8. Public Water System Authorization to Construct issued by the State of North Carolina Department of Environment and Natural Resources Division of Environmental Health;
9. Wastewater Collection System Extension Permit issued by North Carolina Environmental Management Commission Department of Environmental and Natural Resources;
10. Letter from Aqua North Carolina, Inc. confirming availability of wastewater service;
11. Letter to Dr. Ann Y. Hart, Chatham County School Superintendent;
12. Infrastructure completion cost estimate from Mitchell Westendorf, P.A.;

13. Draft letter of credit from Wachovia Bank, N.A. (amount to be adjusted in accordance with engineer's estimate when form approved by County Attorney); and
14. Letter from North Chatham Volunteer Fire Department confirming fire service.

The sketch design for Governors Village Townhomes Phase Three was approved along with the modification of the conditional use permit for the Governors Club Planned Unit Development on March 21, 2005. The approval of the modification of the conditional use permit and sketch design contained certain conditions, the status of the satisfaction of which is as follows:

1. Construction Deadline. The deadline for commencement of construction (the second anniversary of the issuance of the permit) has been satisfied.
2. Watershed Management. A watershed protection plan and impervious surface calculations, showing 23.05% impervious surface for the entire Governors Club PUD, including the subject townhome subdivision, were submitted with the sketch design.
3. Storm Water Management. A storm water management plan and impervious surface calculations, showing 23.05% impervious surface for the entire Governors Club PUD, including the subject townhome subdivision, were submitted with the sketch design.
4. Fire Flow. A fire flow report is required prior to issuance of a certificate of occupancy.
5. Utility and Access Easements. As noted on the proposed plat, easements for utilities and access are established in the recorded declarations of restrictive covenants.
6. Stipulations Regarding State and Federal Government Approvals. No stipulations were imposed.
7. Permits. As noted above, all required state and federal permits, including a driveway permit from the North Carolina Department of Transportation, are enclosed.
8. Improvements. No off-site improvements are required in connection with this application.
9. Stipulations Regarding Required Improvements. No stipulations were imposed upon approval of the sketch design.
10. Utilities. Permits from the Division of Water Quality of the North Carolina Department of Environment and Natural Resources for extension of water and wastewater utilities are enclosed. A letter from Aqua North Carolina, Inc. affirming that it will provide wastewater service to the project is also enclosed. Financial guarantees for uncompleted water

Letter to Ms. Lynn Richardson
November 13, 2006
Page 3

facilities will be submitted in accordance with the requirements of the County Subdivision Regulations. An engineer's estimate of completion cost and draft letter of credit are enclosed.

11. Stages. By this application, Governors Village Commercial, LLC seeks to subdivide the entire Governors Village Townhomes Phase Three into townhome blocks that will be conveyed to the builder of the townhomes. The builder of the townhomes may seek to subdivide the blocks into individual townhome residential units in stages or phases.

12. Erosion Control. Approval of the Erosion and Sedimentation Control Plan by the North Carolina Department of Environment and Natural Resources is enclosed.

13. Silt Control. The applicant will take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.

14. Appeal. No response required.

15. Fees. Subdivision fees were paid in connection with the sketch design submittal.

16. Continued Validity. The applicant has complied, and will continue to comply, with the plans and conditions noted in the sketch design approval.

17. Non-Severability. No response required.

18. Non-Waiver. No response required.

We will e-mail to you and Jason Sullivan an electronic copy of this complete application. Please let me know if you discover that any other documentation is required or would be of assistance in connection with this application.

Thank you for your assistance.

Sincerely yours,



Patrick E. Bradshaw

PEB:jbs

Enclosures

c: Dane L. Vincent
Edmund Waddill

**CHATHAM COUNTY
MAJOR SUBDIVISION
REVIEW CHECKLIST**

Subdivision Name Governors Village Townhomes Phase Three

Review For: Sketch Prelim Final

Attach all supporting documentation regarding these approvals. If approvals are still pending, attach applications for approval.

SKETCH DESIGN REVIEW	APPROVAL DATE
<input type="checkbox"/> 25 Copies of Plat with topo along with one (1) 8-1/2 x 11 copy	_____
<input type="checkbox"/> Application w/Complete Adjacent Owner Addresses	_____
<input type="checkbox"/> Soil Scientist Report and soil map	_____
<input type="checkbox"/> Confirmation from Chatham County Historical Association/Jane Pyle/542-3603	
<input type="checkbox"/> 1 electronic copy of all items above (see Digital Document Requirements)	
PRELIMINARY PLAT REVIEW	
<input type="checkbox"/> 25 Copies of Plat along with one (1) 8-1/2 x 11 copy
<input type="checkbox"/> Application w/ Complete Adjacent Owner Addresses
<input type="checkbox"/> Detailed Soils Map and Letter of explanation or D.E.M. approval {see Requirements for soil scientist report}	___/___/___
<input type="checkbox"/> NCDOT Approval (if public roads)	___/___/___
<input type="checkbox"/> DOT Comm. Driveway Permit	___/___/___
<input type="checkbox"/> Erosion Control Plan Approval (if new roads or one acre disturbed)	___/___/___
<input type="checkbox"/> U.S. Army Corps of Engineers Permit (if appl)	___/___/___
<input type="checkbox"/> Road Name Request Form	___/___/___
<input type="checkbox"/> County Public Water Approval (if applicable)	___/___/___
<input type="checkbox"/> State Public Water Approval (if applicable)	___/___/___
<input type="checkbox"/> Chatham Co. Schools' Road Comments (if new roads)	___/___/___
<input type="checkbox"/> Stormwater Management Plan Approval (if appl)	___/___/___
<input type="checkbox"/> Economic & Environmental Impact Study (if appl)	___/___/___
<input type="checkbox"/> Water / Sewer Impact Statement (if appl)	___/___/___
<input type="checkbox"/> 1 electronic copy of all items above (see Digital Document Requirements)	
FINAL PLAT REVIEW	
<input type="checkbox"/> 25 Copies of Plat	_____
<input type="checkbox"/> Application
<input type="checkbox"/> 1 electronic copy of all items above (see Digital Document Requirements)	___/___/___
<input type="checkbox"/> Chatham County Environmental Health Division septic improvement permits or NCDWQ septic permits for each lot.	___/___/___
<input type="checkbox"/> Road Completion Certificate or Financial Guarantee	___/___/___
<input type="checkbox"/> Utilities Completion Cert. or Financial Guarantee	___/___/___

Comment _____

Date Complete Application Rec'd: ___/___/___ By: _____

Chatham County Planning Department

P.O. Box 54
Pittsboro, NC 27312
Tel: (919) 542-8204
Fax: (919) 542-2698

Type of Review

- Sketch
- Preliminary
- Final

MAJOR SUBDIVISION APPLICATION

Name of Subdivision: Governors Village Townhomes Phase Three

Subdivision Applicant:

Name: Governors Village Commercial, LLC

Address: Post Office Box X
Hot Springs, Virginia 24445

Phone:(W)540-839-2805

Phone:(H) _____ Fax: _____

E-Mail dvincent@homesteadpreserve.com

Township: Williams **Zoning:** RA-40

Governors Club Conditional Use Permit

Flood Map # _____ **Zone:** _____

Watershed: WSIV-PA

Subdivision Owner:

Name: Same

Address: _____

Phone:(W) _____

Phone:(H) _____ Fax: _____

E-Mail _____

P. I. N. # 9796-24-4277

Parcel# 66750

Existing Access Road: S.R.1847

S.R. road name Moring Drive Extension

Total Acreage: 10.697 **Total # of Lots:** 14 Blocks, to be further subdivided into 76 residential townhome lots.

Min. Lot Size: 0.229 acres

Ph. I Acreage _____

Ph. I # of lots _____

Max. Lot Size: 0.352 acres

Ph. II Acreage. _____

Ph. II # of lots _____

Avg. Lot Size: 0.310 acres

Ph. III Acreage _____

Ph. III # of lots _____

Name and date of contact with Chatham County Historical Association: No historical structures

Type of new road: Private/ Length _____ Public/ Length _____

Road Surface:

paved

gravel

Water System:

individual wells

community wells

public system

name Chatham

Sewer System:

septic systems

community system

public system

name _____

List other facilities: commercial, recreation, etc., and the approximate acreage or square footage:

Common Area: 6.359 acres

See Applicant Certification Date _____ See Owner Authorization Date _____

Signature of Applicant

Signature of Owner

For Office Use Only:

Notes: _____

Approved by County Commissioners:

Sketch _____

Preliminary _____

Final _____

Payment: Date ____ / ____ / ____

Amount: \$ _____

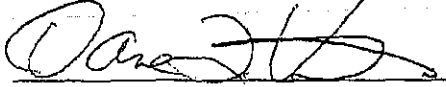
APPLICANT CERTIFICATION AND OWNER AUTHORIZATION

I hereby certify that Governors Village Commercial, LLC is the owner of the property identified in this Major Subdivision Application and that the information provided is complete and the statements given are true to the best of my knowledge.

Applicant and Owner:

GOVERNORS VILLAGE COMMERCIAL, LLC

BY:



Dane L. Vincent, General Manager

Date of Execution: November 13, 2006

ADJACENT LAND OWNERS

1. Governors Club Limited Partnership
P. O. Box 3923
Sanford, NC 27331
Parcel #83155 and 74323
2. Heber and Irene Wilson
c/o Michael T. Wilson
172 Mt. Carmel Church Road
Chapel Hill, NC 27514
Parcel #19378
3. Governors Village Property Owners Association, Inc.
c/o Ron Weinhold
P. O. Box 99149
Raleigh, NC 27624
Parcel #73906 and 73907
4. Governors Village Retail I, LLC
c/o GFD Management, Inc.
14600 Weston Parkway, Suite 200
Cary, NC 27513
Parcel #74964
5. GVT, LLC
5800 Farrington Place
Raleigh, NC 27609
Parcel #78789
6. Donald P. and Karrie J. Omara
5129 Bogue Sound Drive
Emerald Isle, NC 28594
Parcel #82222

File



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

May 16, 2005

Chatham County

County Driveway Permit File Number 19-626

Subject: Commercial Driveway Permit Application with Entrance onto SR 1847
(Governors Village Townhomes Phase 3)

Mr. Dane Vincent, V. P.
Governors Club Limited Partnership
PO Box X
Hot Springs, Va. 24445

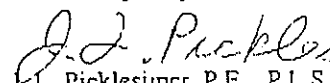
Dear Mr. Vincent:

Personnel assigned to this office have conducted a review of the permit Application and approval is granted subject to the following stipulations:

1. The entrance onto SR 1847 is to be constructed in accordance with the attached detail sheet.
2. The entrance onto SR 1847 shall be paved for at least 50' along the centerline of the entrances.
3. The entrance onto SR 1847 shall require radii on each side of the driveways as shown on the attached drawing.
4. No parking or outdoor advertising (signs) shall be allowed inside the right of way of SR 1847.
5. Any areas inside the right of way disturbed during construction shall be seeded and mulched immediately upon completion of construction.

Attached to this correspondence please find an approved copy of TEB Form 65-04 (Driveway Permit Application - N. C. Department of Transportation). Upon completion of the driveway entrance construction please notify the Chatham County Maintenance Department (Phone 919-742-3431) so a final inspection of the entrance can be made.

Yours very truly,


J.L. Picklesimer, P.E., P.L.S.
District Engineer

JLP/jek
Attachments

cc: Mr. Timothy Johnson P.E., Division Engineer
Mr. B.F. Sloan, County Maintenance Engineer

APPLICATION IDENTIFICATION		N.C. DEPARTMENT OF TRANSPORTATION STREET AND DRIVEWAY ACCESS PERMIT APPLICATION
Driveway Permit No. <u>19-626</u>	Date of Application <u>05/06/2005</u> <u>5-16-05</u>	
County: <u>Chatham</u>		
Development Name: <u>Governors Village Townhomes Phase 3</u>		

LOCATION OF PROPERTY:

Route/Road: SR 1847, Moring Drive Extension

Exact Distance 425 Miles Feet N S E W

From the Intersection of Route No. SR 1008 and Route No. SR 1847 Toward East

Property Will Be Used For: Residential /Subdivision Commercial Educational Facilities TND Emergency Services Other

Property: is is not within any City Zoning Area.

AGREEMENT

- I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location.
- I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation.
- I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDOT.
- I agree that the driveway(s) or street(s) will be constructed as shown on the attached plans.
- I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary.
- I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction.
- I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways".
- I agree to pay a \$50 construction inspection fee. Make checks payable to NCDOT. This fee will be reimbursed if application is denied.
- I agree to construct and maintain the driveway(s) or street(s) in a safe manner so as not to interfere with or endanger the public travel.
- I agree to provide during construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the District Engineer.
- I agree to indemnify and save harmless the North Carolina Department of Transportation from all damages and claims for damage that may arise by reason of this construction.
- I agree that the North Carolina Department of Transportation will assume no responsibility for any damages that may be caused to such facilities, within the highway right-of-way limits, in carrying out its construction.
- I agree to provide a Performance and Indemnity Bond in the amount specified by the Division of Highways for any construction proposed on the State Highway system.
- The granting of this permit is subject to the regulatory powers of the NC Department of Transportation as provided by law and as set forth in the N.C. Policy on Driveways and shall not be construed as a contract access point.
- I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED.

SIGNATURES OF APPLICANT

PROPERTY OWNER (APPLICANT)
 COMPANY Governors Club Limited Partnership - Dane Vincent
 SIGNATURE Dane Vincent - V.P.
 ADDRESS PO Box X, Hot Springs, VA.
24445 Phone No. 919606-7470

WITNESS
 NAME Michael A. Hahaj
 SIGNATURE M.A. Hahaj
 ADDRESS PO Box 397
Hot Springs, VA 24445

AUTHORIZED AGENT
 COMPANY Governors Village Commercial - Dane Vincent
 SIGNATURE Dane Vincent - G.M.
 ADDRESS PO Box X, Hot Springs, VA.
24445 Phone No. 919606-7470

WITNESS
 NAME Michael A. Hahaj
 SIGNATURE M.A. Hahaj
 ADDRESS PO Box 397
Hot Springs, VA 24445

APPROVALS

APPLICATION RECEIVED BY DISTRICT ENGINEER

J. L. Picklesimer
 SIGNATURE

05-11-05
 DATE

APPLICATION APPROVED BY LOCAL GOVERNMENTAL AUTHORITY (when required)

SIGNATURE

TITLE

DATE

APPLICATION APPROVED BY DISTRICT ENGINEER

J. L. Picklesimer
 SIGNATURE

05-16-05
 DATE

INSPECTION BY NCDOT

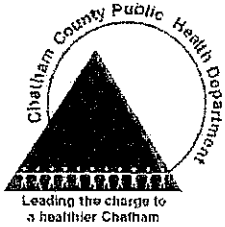
SIGNATURE

TITLE

DATE

COMMENTS:

Driveway for 76 Unit Townhome Subdivision with Private Roads



Job Name: GV PHASE 3
File Code: 6-2000040
Date: 6-11-06

CHATHAM COUNTY PUBLIC HEALTH DEPARTMENT
Division of Environmental Health
Soil Erosion and Sedimentation Control

June 20, 2006

LETTER OF APPROVAL

Warren Mitchell, PE
Mitchell & Westendorf, P.A.
1709 Legion Road, Suite 201
Chapel Hill, NC 27517

RE: Project Name: Governor's Village Townhomes Phase 3
Acres approved: 8.8
Permit Number: 2006-06-001
Submitted By: Mitchell and Westendorf
Date Received: 06/12/06

Dear Sir or Madam:

This office has reviewed the subject erosion and sedimentation control plan. We find the plan to be acceptable and hereby issue this Letter of Approval. The enclosed Certificate of Approval must be posted at the job site. This plan approval shall expire two (2) years following the date of approval, if no land-disturbing activity has been undertaken.

Section 6 (l) of the Chatham County Sedimentation and Erosion Control Ordinance requires that a copy of the approved erosion control plan be on file at the job site. Also, this letter gives the notice required by G.S. 113A-61.1(a) of our right of periodic inspection to insure compliance with the approved plan.

North Carolina's Sedimentation Pollution Control Act is performance-oriented, requiring protection of existing natural resources and adjoining properties. If, following the commencement of this project, the erosion and sedimentation control plan is inadequate to meet the requirements of the Chatham County Sedimentation and Erosion Control Ordinance, this office may require revisions to the plan and implementation of the revisions to insure compliance with the Act.

Tim Green, MPA
Interim Public Health Director
80 East Street, PO Box 130, Pittsboro, NC 27312 Phone: 919-542-8208 Fax: 919-542-8288

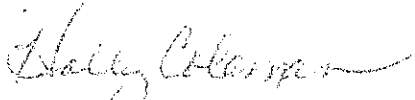
Acceptance and approval of this plan is conditioned upon your compliance with Federal and State water quality laws, regulations, and rules. In addition, local city or county ordinances or rules may also apply to this land-disturbing activity. This approval does not supersede any other permit or approval.

Please be aware that your project will be covered by the enclosed NPDES General Stormwater Permit NCGO1000 (Construction Activities). You should first become familiar with all of the requirements for compliance with the enclosed general permit.

Please note that this approval is based in part on the accuracy of the information provided in the Financial Responsibility Form, which you provided. You are requested to file an amended form if there is any change in the information included on the form. Please notify us when you would like to schedule a preconstruction conference. Notification shall be given at least 7 days prior to initiation of activity.

Your cooperation is appreciated.

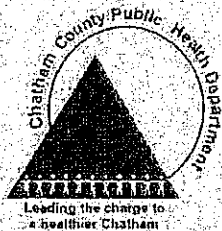
Sincerely,



Holly Coleman, Division Supervisor

Enclosures: Certificate of Approval
NPDES Permit

cc: Dane Vincent, Governor's Village LLC



Chatham County, North Carolina
Certificate of Sedimentation and Erosion Control Plan Approval and
Land-Disturbing Permit
For

Governor's Village Townhomes Phase 3
Project Name and Location

2006-06-001
Permit Number

The posting of this certificate certifies that an erosion and sedimentation control plan has been approved for this project by Chatham County, North Carolina in accordance with North Carolina General Statute 113A-57 (4) and 113A-54 (d)(4), the North Carolina Administrative Code, Title 15A, Chapter 4B.0007 (c) and as per applicable sections of the Chatham County Soil Erosion and Sedimentation Control Ordinance. This certificate must be posted at the primary entrance of the job site before construction begins and until establishment of permanent ground cover as required by North Carolina Administrative Code, Title 15A, Chapter 4B.0027 (b) and as per Chatham County's Erosion and Sediment Control Ordinance, Section 5 (d).

Responsible Person: Governors Village LLC Phone: 540-839-2899
ATTN: Dane Vincent

This plan was approved with "modifications" Yes No and / or
"performance reservations" Yes No.

Reviewer: Brian Grogan Date: June 20, 2006
Holly Coleman

THE ORDINANCE REQUIRES THAT A COPY OF
THE EROSION CONTROL PLAN
MUST BE KEPT AVAILABLE AT THE JOB SITE
AT ALL TIMES FOR INSPECTION

SUBDIVISION: GOVERNORS LAKE PHASE 3 TOWNHOMES

DIRECTIONS: INTERSECTION OF MT. CARMEL CHURCH ROAD AND VILLAGE PARK DRIVE, IN GOV. VILLAGE

DEVELOPER: CRESLAND, INC PHONE NUMBER: 919 454 8990

Major Development: X PUD Minor Development: _____
Development with acreage of 10 acreage of 10 acres or more: _____

Proposed road names	OK to submit	DUPLICATED Do not Submit
<u>GOVERNORS LAKE DRIVE</u>	<u>✓</u>	
<u>DAUGHTRIDGE DRIVE</u>	<u>✓</u>	
<u>PHILLIOTT DRIVE</u>	<u>✓</u>	
<u>PERDUE DRIVE</u>	<u>✓</u>	
_____	_____	_____
_____	_____	_____

DATE SUBMITTED TO EOC: 10-17-06

SUBMITTED BY: Edmund Waddill

EOC OFFICER: Denise Silb

DATE ROADS APPROVED: 10-17-06

DATE FINAL PLAT RECEIVED: _____


DATE GIVEN TO 911: _____

DATE CONTACT MADE WITH NUMBERS: _____

SURROUNDING COUNTY CONTACTED: _____

PERSON SPOKEN WITH: _____

COMMENTS: _____

 revised 1/19/02

FAXED
Synn 10/18/06





Terry L. Pierce, Director

Michael F. Easley, Governor

Public Water Supply Section

Jessica G. Miles, Section Chief

Department of Environment and
Natural Resources

William G. Ross, Secretary

August 17, 2006

Charlie Horne
P O Box 87
Pittsboro, NC 27312

Re: **Authorization to Construct
Governor's Village Townhomes 3
Chatham Co Water System
Chatham County NC0319126**

Dear Applicant:

This letter is to confirm that a complete Engineer's Report and a Water System Management Plan have been received, and that engineering plans and specifications have been approved by the Department for **Governor's Village Townhomes 3, DEH Serial No. 06-01216**.

The Authorization to Construct is valid for 24 months from the date of this letter. Authorization to Construct may be extended if the Rules Governing Public Water Supplies and site conditions have not changed. The Authorization to Construct and the engineering plans and specifications approval letter, shall be posted at the primary entrance of the job site before and during construction.

Approval must be secured from the Department before any construction or installation if:

- Deviation from the approved engineering plans and specifications is necessary; or
- There are changes in site conditions affecting capacity, hydraulic conditions, operating units, the function of water treatment processes, the quality of water to be delivered, or conditions imposed by the Department in any approval letters.

Upon completion of the construction or modification and in accordance with Rule .0303, the applicant shall submit a certification statement directly to HENRI OU of this office. This statement must be signed and sealed by a registered professional engineer stating that construction was completed in accordance with approved engineering plans and specifications, including any provisions stipulated in the Department's engineering plan and specification approval letter. Prior to Final Approval, the applicant shall submit a signed certification stating that the requirements in 15A NCAC 18C .0307 (d) and (e) have been satisfied and if applicable, a completed application for an Operating Permit and fee. Once the certification statements and operating permit application and fee, if applicable, are received and determined adequate, the Department will grant Final Approval in accordance with Rule .0309 (a). Therefore, no construction, alteration, or expansion of a water system shall be placed into service until Final Approval has been issued by the Department.

If we can be of further assistance, please call (919) 733-2321.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony C. Chen".

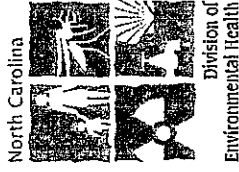
Tony C. Chen, P.E.
Technical Services Branch
Public Water Supply Section

TCC: HSO

cc: , Regional Engineer
Mitchell Westendorf Pa



State of North Carolina
 Department of Environment and Natural Resources
 Division of Environmental Health



Public Water System Authorization to Construct

Public Water System Name
 and PWSID No. (if available):

Chatham Co Water System
 NC0319126

Project Name:

Governor's Village Townhomes 3

Serial No.

06-01216

Issue Date:

8/10/2006

Expiration Date:

24 months after Issue Date

In accordance with NCAC 18C .0305, this Authorization to Construct must be posted for inspection at the primary entrance to the job site during construction.



Michael F. Easley, Governor
William G. Ross Jr., Secretary
North Carolina Department of Environment and Natural Resources
Alan W. Klimek, P.E., Director
Division of Water Quality

July 18, 2006

Michael Myers, Engineering Manager
Aqua North Carolina, Inc.
202 MacKenan Court
Cary, NC 27511

Subject: Permit No. WQ0030500
Governors-Village Townhomes Phase 3
Wastewater Collection System Extension
Chatham County

Dear Mr. Myers:

In accordance with your permit application received July 7, 2006, we are forwarding herewith Permit No. WQ0030500, dated July 18, 2006, to Aqua North Carolina, Inc. for the construction and operation of the subject wastewater collection system extension. This permit shall be effective from the date of issuance until rescinded, and shall be subject to the conditions and limitations as specified therein. This cover letter shall be considered a part of this permit and is therefore incorporated therein by reference.

Please pay particular attention to Permit Condition 3 which requires that the wastewater collection facilities be properly operated and maintained in accordance with 15A NCAC 2H .0227 or any individual system-wide collection system permit issued to the Permittee. Your attention is also directed to Permit Condition 6 which requires Engineering Certification prior to operation of this collection system extension.

Permitting of this project does not constitute an acceptance of any part of the project that does not meet 15A NCAC 2H .0200; the Division of Water Quality's (Division) Gravity Sewer Minimum Design Criteria adopted February 12, 1996 as applicable; and the Division's Minimum Design Criteria for the Fast-Track Permitting of Pump Stations and Force Mains adopted June 1, 2000 as applicable, unless specifically mentioned herein. Division approval is based on acceptance of the certification provided by a North Carolina-licensed Professional Engineer in the application. It shall be the Permittee's responsibility to ensure that the as-constructed project meets the appropriate design criteria and rules. Failure to comply may result in penalties in accordance with North Carolina General Statute §143-215.6A through §143-215.6C, construction of additional or replacement wastewater collection facilities, and/or referral of the North Carolina-licensed Professional Engineer to the licensing board.

One
North Carolina
Naturally

North Carolina Division of Water Quality 1628 Mail Service Center Raleigh, NC 27699-1628 Phone (919) 791-4200 Customer Service
Internet: www.ncwaterquality.org Location: 3800 Barrett Drive Raleigh, NC 27609 Fax (919) 571-4718 1-877-623-6748

In accordance with the provisions of Article 21 of Chapter 143, General Statutes of North Carolina as amended, and other applicable Laws, Rules, and Regulations, permission is hereby granted to Aqua North Carolina, Inc. for the construction and operation of

- approximately 1,702 linear feet of 8-inch gravity sewer;

to serve 18 townhomes each with 3 bedrooms and 58 townhomes each with 2 bedrooms as part of the Governors Village Townhomes Phase 3 project, and the discharge of 20,400 gallons per day of collected domestic wastewater into Aqua North Carolina's existing sewerage system, pursuant to the application received July 7, 2006, and in conformity with 15A NCAC 2H .0200; the Division's Gravity Sewer Minimum Design Criteria adopted February 12, 1996 as applicable; the Division's Minimum Design Criteria for the Fast-Track Permitting of Pump Stations and Force Mains adopted June 1, 2000 as applicable; and other supporting data subsequently filed and approved by the Department of Environment and Natural Resources and considered a part of this permit.

The sewage and wastewater collected by this system shall be treated in Aqua North Carolina's Chatham Water Reclamation Facility (Permit No. NC0056413) prior to being discharged into the receiving stream.

If any parts, requirements, or limitations contained in this permit are unacceptable, you have the right to request an adjudicatory hearing upon written request within 30 days following receipt of this permit. This request must be in the form of a written petition, conforming to Chapter 150B of North Carolina General Statutes, and filed with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714. Unless such demands are made, this permit shall be final and binding.

If you have any questions regarding this permit or require any additional information, please contact Barry Herzberg at (919) 791-4200, or by e-mail to barry.herzberg@ncmail.net.

Sincerely,


for Alan W. Klimek, P.E.

cc: Chatham County Health Department
RRO SWP Files
Warren Mitchell, PE; Mitchell-Westendorf, 1709 Legion Road Suite 201, Chapel Hill, NC 27516
Central Files
Marie Doklovic, PERCS Unit



Aqua North Carolina, Inc.
202 MacKenan Court
Cary, NC 27511

T: 919.467.7854
F: 919.460.1788
www.aquanorthcarolina.com

November 10, 2006

Mrs. Lynn Richardson
Chatham County Planning Department
Post Office Box 54
Pittsboro, North Carolina 27312

Re: Governors Village Townhomes Phase Three, Chatham County

Dear Mrs. Richardson:

This letter serves as notification that our wastewater utility will serve the above-mentioned project consisting of 76 townhomes.

We are in the process of expanding the Carolina Meadows plant to a 350,000 GPD capacity which will provide sufficient capacity to serve the 76 townhomes in Governors Village Townhomes Phase 3. The completion of the expansion of the wastewater treatment plant is subject to a financial guarantee currently secured by collateral provided by Governors Club Limited Partnership. Aqua North Carolina, Inc. will replace the existing collateral for the financial guarantee with a performance surety bond that is currently under review by the Chatham County Attorney.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil R. Phillips". The signature is fluid and cursive, with the first and last names being clearly legible.

Neil R. Phillips,
President

BRADSHAW & ROBINSON, LLP

ATTORNEYS AND COUNSELORS AT LAW

HALL-LONDON HOUSE

128 HILLSBORO STREET

POST OFFICE BOX 607

PITTSBORO, NORTH CAROLINA 27312

PATRICK E. BRADSHAW
NICOLAS P. ROBINSON
COURTNEY A. BOWEN
ANDREW T. SLAWTER

(919) 542-2400
FAX 542-0496
bradshaw@bradshawrobinson.com

November 13, 2006

Dr. Ann Y. Hart
Chatham County Schools
Post Office Box 128
Pittsboro, North Carolina 27312

RE: Governors Village Townhomes Phase Three

Dear Dr. Hart:

This firm represents Governors Village Commercial, LLC, the developer of a subdivision located on Mt. Carmel Church Road called "Governors Village Townhomes Phase Three."

As you can see from the enclosed map, the portion of the subdivision being brought to the County for preliminary and final plat review is located at the southeast corner of the intersection of Mt. Carmel Church Rd. (S.R. 1008) and Village Park Drive, and currently consists of fourteen (14) Blocks, which will be further subdivided into seventy-six (76) residential townhome lots. The roads within the subdivision will be private with access to Village Park Drive, a public road.

Please let us know if you have any thoughts or comments regarding the enclosed plan.

Very truly yours,



Courtney A. Bowen

Enclosure

c: Paul Joyce

MITCHELL  WESTENDORF, P.A.
ENGINEERING & SURVEYING

November 13, 2006

Chatham County Planning Department
Lynn Richardson
80 - A East Street
Pittsboro, NC 27312

Re: Governors Village Townhomes Phase III
Calculation of remaining improvements for security

Dear Mrs. Richardson:

Per section 3.1.B of the County's Subdivision Ordinance, we have prepared this letter to detail the remaining improvements to be done on this project as of the date above. Generally, all utilities have been installed, the curb and gutter have been constructed and the stone base is down. All that remains is the paving, fine grading and the seeding. We have included the water system in the security because it has not been formally accepted even though it has been installed. The specific items remaining to be completed per the construction contract with their contract amount are as follows:

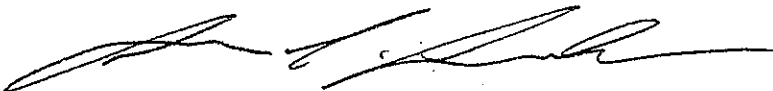
1.	Paving	\$80,852.00
2.	Fine grading / backfill	\$13,525.00
3.	Seeding	\$11,520.00
4.	Water System (total)	\$108,181.00
	TOTAL	\$213,078.00
	X (140%)	<u>1.4</u>

Amount of Security Req'd \$298,309.20

The total construction contract amount is \$1,402,000.00. The remaining work that requires security is \$213,078.00 which is 15 percent of the contract amount (213,078 / 1,402,000).

Please do not hesitate to call us if you have any questions or comments.

Sincerely,



Warren D. Mitchell, PE

Balance

IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER [REDACTED]

LETTER OF CREDIT AMOUNT	ISSUE DATE	EXPIRY DATE
USD 1,000,000.00	11/15/06	11/15/07

BENEFICIARY:
 CHATHAM COUNTY
 80-A EAST STREET
 PITTSBORO, NC 27312
 ATTN: KEITH MEGGINSON

APPLICANT:
 GOVERNORS VILLAGE COMMERCIAL, LLC
 2814 MAIN ST.
 HOT SPRINGS, VA 24445

WE HEREBY OPEN OUR IRREVOCABLE STANDBY LETTER OF CREDIT IN YOUR FAVOR FOR THE ACCOUNT OF THE ABOVE REFERENCED APPLICANT IN THE AGGREGATE AMOUNT OF ONE MILLION ONLY US DOLLARS (USD 1,000,000.00) WHICH IS AVAILABLE BY PAYMENT WHEN ACCOMPANIED BY THE FOLLOWING DOCUMENTS:

1. A DRAFT AT SIGHT DRAWN ON WACHOVIA BANK, NATIONAL ASSOCIATION, DULY ENDORSED ON ITS REVERSE SIDE THEREOF BY THE BENEFICIARY, SPECIFICALLY REFERENCING THIS LETTER OF CREDIT NUMBER.
2. THE ORIGINAL LETTER OF CREDIT AND ANY AMENDMENTS ATTACHED THERETO.
3. A DATED STATEMENT ISSUED ON THE LETTERHEAD OF THE BENEFICIARY AND PURPORTEDLY SIGNED BY AN AUTHORIZED REPRESENTATIVE STATING: GOVERNORS VILLAGE COMMERCIAL, LLC HAS FAILED TO COMPLETELY CONSTRUCT IN ACCORDANCE WITH THOSE CERTAIN SPECIFICATIONS REQUIRED BY CHATHAM COUNTY FOR THE TYPE OF WORK PERFORMED, THE ROADS, STREETS, PAVING, WATER AND SEWER UTILITIES AND OTHER REQUIRED IMPROVEMENTS FOR THAT CERTAIN GOVERNORS VILLAGE TOWNHOMES, PHASE III, CHATHAM COUNTY, NORTH CAROLINA. WE THEREFORE DEMAND PAYMENT IN AMOUNT OF (INSERT AMOUNT) AS SAME IS DUE AND OWING.

PARTIAL DRAWINGS ARE PERMITTED UNDER THIS LETTER OF CREDIT.

THIS LETTER OF CREDIT IS TRANSFERABLE IN ITS ENTIRETY. WE SHALL NOT RECOGNIZE ANY TRANSFER OF THE CREDIT UNTIL AN EXECUTED TRANSFER REQUEST IS FILED WITH US IN THE FORM ATTACHED HERETO, BEARING YOUR BANKERS CERTIFICATION THAT THE SIGNATURE THEREON IS VALID, AND OUR CUSTOMARY FEE OF 1/4 OF 1% (MINIMUM FEE - \$500-MAXIMUM FEE \$1,500.00) IS PAID. UPON RECEIPT OF SUCH, WE SHALL ENDORSE THE REVERSE OF THIS CREDIT AND FORWARD TO THE TRANSFEREE.

THIS IRREVOCABLE LETTER OF CREDIT SETS FORTH IN FULL THE TERMS OF OUR UNDERTAKING. THIS UNDERTAKING IS INDEPENDENT OF AND SHALL NOT IN ANY WAY BE MODIFIED, AMENDED, AMPLIFIED, OR INCORPORATED BY REFERENCE TO ANY DOCUMENT, CONTRACT, OR AGREEMENT REFERENCED HEREIN.

Notice:

This sample wording is presented without any responsibility on our part. This proforma is provided to you as a suggestion only at your request. Please note that the proforma remains unissued and is not an enforceable instrument.
 Wachovia Bank, N.A.

CONTINUED ON NEXT PAGE WHICH FORMS AN INTEGRAL PART OF THIS LETTER OF CREDIT

WORDING REVIEWED AND APPROVED

BY: _____
 THIS FORM IS AN INTEGRAL PART OF THE APPLICATION AND AGREEMENT FOR STANDBY LETTER OF CREDIT DATED _____

NOV 13 2006 3:02PM

WACHOVIA INT

IRREVOCABLE STANDBY LETTER OF CREDIT NO. [REDACTED] PAGE NO. 2

WE HEREBY AGREE WITH YOU THAT DRAFT(S) DRAWN UNDER AND IN COMPLIANCE WITH THE TERMS AND CONDITIONS OF THIS CREDIT SHALL BE DULY HONORED IF PRESENTED TOGETHER WITH DOCUMENT(S) AS SPECIFIED AT OUR OFFICE LOCATED AT 401 LINDEN STREET, MAIL CODE NC6034, WINSTON SALEM, NC 27101, ATTENTION: STANDBY LETTERS OF CREDIT ON OR BEFORE THE ABOVE STATED EXPIRY DATE, OR ANY EXTENDED EXPIRY DATE IF APPLICABLE.

DRAFT(S) DRAWN UNDER THIS CREDIT MUST SPECIFICALLY REFERENCE OUR CREDIT NUMBER.

EXCEPT AS OTHERWISE EXPRESSLY STATED HEREIN, THIS LETTER OF CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS, (1993 REVISION) THE INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO.500.

SINCERELY,

AUTHORIZED SIGNATURE
DKN

THE ORIGINAL OF THIS LETTER OF CREDIT CONTAINS AN EMBOSSED SEAL OVER THE AUTHORIZED SIGNATURE.

PLEASE DIRECT ANY CORRESPONDENCE INCLUDING DRAWING OR INQUIRY QUOTING OUR REFERENCE NUMBER TO:

WACHOVIA BANK, NATIONAL ASSOCIATION
401 LINDEN STREET, MAIL CODE NC6034
WINSTON SALEM, NORTH CAROLINA 27101

OUR CUSTOMER CARE PHONE NUMBER FOR ANY QUERIES IS 800-776-3862
OUR FAX NUMBER IS 336-735-0950

Notice:

This sample wording is presented without any responsibility on our part. This proforma is provided to you as a suggestion only at your request. Please note that the proforma remains unissued and is not an enforceable instrument.
Wachovia Bank, N.A.

TRANSFER OF IRREVOCABLE STANDBY LETTER OF CREDIT

NUMBER: [REDACTED] DATED: NOVEMBER [REDACTED], 2006

TO: WACHOVIA BANK, NATIONAL ASSOCIATION
ATTN: STANDBY LETTER OF CREDIT DEPT.
401 LINDEN STREET, 1ST FLOOR, MC-NC6034
WINSTON SALEM, NC 27101

GENTLEMEN:

FOR VALUE RECEIVED, THE UNDERSIGNED BENEFICIARY HEREBY IRREVOCABLY TRANSFERS

TO:

(NAME OF TRANSFEREE)

(ADDRESS OF TRANSFEREE)

ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY IN THE AGGREGATE AMOUNT OF
USD _____ UNDER THE ABOVE IRREVOCABLE STANDBY LETTER
OF CREDIT, SUBJECT TO THE SAME TERMS AND CONDITIONS.

BY THIS TRANSFER, ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY IN SUCH STANDBY
LETTER OF CREDIT ARE TRANSFERRED TO THE TRANSFEREE NAMED ABOVE AND SUCH
TRANSFEREE SHALL HAVE THE SOLE RIGHTS AS BENEFICIARY THEREOF.

WE HEREBY ENCLOSE THE ORIGINAL STANDBY LETTER OF CREDIT IDENTIFIED ABOVE, AND
ENCLOSE AN OFFICIAL OR CERTIFIED CHECK IN THE AMOUNT OF \$ _____
REPRESENTING YOUR TRANSFER FEE (1/4 OF 1% OF THE TRANSFER AMOUNT; \$500.00
MINIMUM, \$1,500.00 MAXIMUM), OR YOU ARE AUTHORIZED TO DEBIT OUR ACCOUNT NUMBER
_____ MAINTAINED WITH WACHOVIA BANK, NATIONAL ASSOCIATION.

Notice:

This sample wording is presented without
any responsibility on our part. This proforma
is provided to you as a suggestion only
at your request. Please note that the
proforma remains unissued and is not an
enforceable instrument.
Wachovia Bank, N.A.

COMPANY NAME (BENEFICIARY)

*** SIGNATURE GUARANTEE ***

AUTHORIZED SIGNATURE (BENEFICIARY)

AUTHORIZED SIGNATURE (BANK)

BY:
NAME OF BANK

NAME/TITLE OF SIGNER

NAME/TITLE OF SIGNER

DATE OF TRANSFER REQUEST

THE BANK SIGNER HEREBY GUARANTEES THE SIGNATURE OF THE BENEFICIARY SIGNER AND FURTHER GUARANTEES THAT THE INDIVIDUAL SIGNING THE REQUEST HAS THE AUTHORITY TO DO SO.

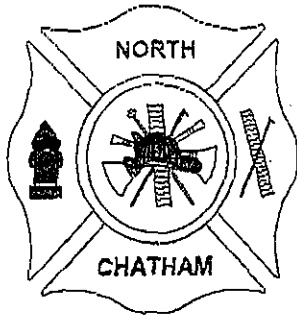
PLEASE DIRECT ANY CORRESPONDENCE OR INQUIRY QUOTING OUR REFERENCE NUMBER TO:

WACHOVIA BANK NATIONAL ASSOCIATION
401 LINDEN STREET
WINSTON-SALEM, NC 27101
ATTN: STANDBY LETTER OF CREDIT UNIT

ALL INQUIRIES REGARDING THIS CREDIT SHOULD BE DIRECTED TO STANDBY CUSTOMER CARE: 1-800-776-3862.

Notice:

This sample wording is presented without any responsibility on our part. This proforma is provided to you as a suggestion only at your request. Please note that the proforma remains unissued and is not an enforceable instrument.
Wachovia Bank, N.A.



NORTH CHATHAM VOLUNTEER FIRE DEPARTMENT

45 MORRIS ROAD

PITTSBORO, NORTH CAROLINA 27312

PHONE: (919) 933-9068 FAX: (919) 933-9406

E-Mail: pyro2@bellsouth.net

11-13-2006

To: Mr. Patrick Bradshaw

From: Mark Riggsbee, Chief
North Chatham Volunteer Fire Department
45 Morris Road
Pittsboro, NC 27312

Dear Sir,

This letter is to inform you that the proposed project, Governors Village Town Homes Phase III is within our existing response district and we see no reason that we cannot provide service to this area.

If you need any additional information please let us know.

Sincerely,

Mark Riggsbee, Chief
North Chatham Volunteer Fire Department