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January 9, 2009

VIA HAND-DELIVERY

Mr. Keith Megginson
Chatham County Planning Department
80-A East Street
Post Office Box 54
Pittsboro, North Carolina 27312

*Re: Pennington South Subdivision – Extension Request for Final Plat Submission and
Request for Change in the Name of the Subdivision*

Dear Mr. Megginson:

Our firm represents Contentnea Creek Co., and we are writing to request (1) an eighteen month extension to submit the final plat for the Pennington South subdivision, and (2) authorization to change the name of the subdivision from Pennington South to "The Gentry".

I. Request for an extension to submit the final plat

Pursuant to Section 4(C)(5) of the Chatham County Subdivision Regulations, Contentnea is requesting an extension of time for an additional eighteen months to complete the necessary improvements and to submit the final plat for the Pennington South subdivision. This request for an extension is being submitted prior to the expiration of the preliminary plat approval, and is being made for good reasons related to delay in being able to begin and to complete construction of the roads.

As background, the Chatham County Board of Commissioners approved the preliminary plat for the Pennington South subdivision on October 15, 2007. After receiving the preliminary approval, Contentnea Creek Co. has been working diligently to complete the necessary improvements required for final approval within the eighteen month period. However, Contentnea has not been able to complete the required improvements because (1) Contentnea reconfigured the road layout so that the project would be more environmentally sensitive, and (2) Contentnea has been delayed in beginning and completing construction of the roads due to delays in receiving permits from North Carolina.

Department of Transportation ("NCDOT") and due to the existence of a large amount of larger boulders that had to be removed.

First, Contentnea changed the road layout of the original site plan that received preliminary approval to improve the environmental sensitivity of the subdivision. The original plan contained a road system that crossed the stream channel at two locations; but Contentnea, significantly reconfigured the road layout in order to avoid the more sensitive of the two proposed stream crossings (the crossing downstream where the channel exhibited more than minimal aquatic function). The revised road layout now provides for only one stream crossing (as opposed to two stream crossings in the original plan). Contentnea received approval from NCDOT for the original road layout on August 10, 2007; but, after deciding to change the road layout to avoid a stream crossing, requested a revision to the layout, which was approved on May 12, 2008. Much time, however, was spent analyzing the aquatic function of the stream and reconfiguring the road layout to eliminate a stream crossing and waiting to receive the revised permit, and that additional time delayed construction of the interior roads.

Also, Contentnea was delayed in installing improvements for reasons outside its control. Contentnea was unable to move forward with the improvements on the property because NCDOT required a change in the location of the waterline bore location. As background, NCDOT granted an encroachment permit for the waterline on April 13, 2007, but the location of the intended bore across US Highway 64 could not be installed as planned due to rock that existed in that location. Therefore, Contentnea requested a revision to the encroachment permit, and that revision was not approved until June 27, 2008, causing an eight month delay in construction of the road improvements. Since a portion of the waterline was relocated along Highway 64, the lot lines in that area could not be established until the revised encroachment permit was approved. During the eight months that Contentnea was waiting to receive the revised permit, Contentnea was not able to complete investigation of the soils since the lot lines had not been established.

Furthermore, Contentnea applied for and received a driveway and deceleration lane permit from NCDOT. Contentnea subsequently determined that it would be safer to construct an acceleration lane, in addition to the deceleration lane, and Contentnea therefore resubmitted plans to NCDOT's Asheboro office for a revised permit. Since this is a "controlled access" area of US Highway 64, the review process involves more time, and Contentnea still has not received the revised permit from NCDOT. While Contentnea could install the approved driveway and deceleration lane at this time, Contentnea believes that it makes more sense to install the driveway, deceleration lane and acceleration lane all at one time so that traffic along Highway 64 will not have to be interrupted any more than is necessary. Moreover, the recent wet weather has slowed down the developer's completion of the roads.

Additionally, construction of the roadway has been significantly slowed due to the excessive amount of sub-terrain rock that needs to be removed from the road bed in order to meet NCDOT roadway construction standards for grade and drainage. Construction of the roadway has been particularly troublesome due to the type of rock formation (large boulders, as opposed to bed or shelf rock) since the boulders must be individually dug out and removed and suitable backfill replacement material must be placed in the void before road construction could begin. We anticipate that construction of the remaining roadway will require additional time and effort since the same burdensome rock conditions exist in that area as well.

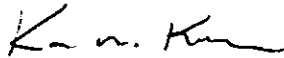
It is important to note that Contentnea has been working to complete the required amount of improvements (forty percent) to the property prior to the expiration of preliminary plat approval; but due to changes in the layout of the subdivision and delays that prevented completion of the roadway, Contentnea will not be able to complete forty percent of the improvements before expiration of the preliminary plat. Thus, we are requesting that the final plat deadline for Pennington South be extended from April 15, 2009 until October 15, 2010.

II. Request for approval for the name of the subdivision to be changed to "The Gentry"

We are also requesting approval for a change in the name of the subdivision from Pennington South to "The Gentry" and changes in the names of the interior streets to fit the new subdivision name. (The original street names for Pennington South were Rustic Leaves Way, Windswept Circle, Silver Lining Court, and a simple street shown as Road 4.) The interior streets will be changed as follows: the name of the entrance street will be changed from Rustic Leaves Way to "Gentry Drive"; Windswept Circle will be called "Antebellum Way"; Silver Lining Court will be called "Julep Court"; and Road 4 will be called "Cotillion Drive". Contentnea has already provided information to the County regarding the new subdivision name and the new street names. (Enclosed please find the form submitted to the County showing the proposed road names and the email exchange with Denise Suits regarding the new names.)

I would appreciate it if these requests could be placed on the agenda for the next Planning Board meeting. Please let me know if you have any questions about our requests.

Sincerely,



Karen M. Kemerait

Enclosures

Cc: Jonna Birtcher
John Harris



JOHN W. HARRIS, P. E.

CONSULTING ENGINEER, INC.
5112 BUR OAK CIRCLE
RALEIGH NC 27612

Telephone (919) 789-0744
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8, January 2009

Ms. Lynn Richardson
Land Use Administrator
Chatham County Planning Department
P.O. Box 54
Pittsboro, N.C. 27312

RE: Pennington South, Construction Delays

Dear Ms. Richardson;

At the request of the subdivision developer we have assessed the roadway construction at the above reference subdivision. At this point we have verified that Pennington South Subdivision is nearing the anticipated 40% for its first phase of development. Due to several permit revisions, construction problems and unexpected delays, it appears possible that the 1st phase of the development could be too close to the required deadline (as required) for Final Plat Approval and may not be able to meet that goal. Several reasons for the project being delayed have occurred and they are listed and explained as follows.

1) Elimination of a stream crossing

The original Sketch Plan Approval showed a road network system that crossed a major stream in two locations. While the two crossings would have been permitted by NCDWQ, the Developer decided the environmentally responsible action was to follow an alternative roadway design layout as recommended by Ms. Jennifer Burdette, who is the Project Environmental Consultant. The new layout resulted in only one stream crossing but required additional time to survey, engineer and obtain review agency approvals. Revised permits were submitted and obtained from NCDOT (road design), NCDENR (Water system) and Chatham County (erosion control).

2) Relocation of the Hwy. # 64 Waterline Bore

During the course of obtaining the required Chatham County Preliminary Plan approvals, the NCDOT granted approval for an encroachment to construct the proposed waterline in

the Right-of-Way of US Hwy. # 64. During our pre-construction examination of the NCDOT recommended/intended bore location (required to get water to the south side of the highway) it was discovered that several underground drainage pipes and box structures were in close conflict with the proposed water line casing pipe. This resulted in the necessity of a resubmittal of an NCDOT encroachment permit to relocate the crossing to another less congested location. Because the resulting crossing location is located in a Controlled Access portion of the highway, the approval had to come from the Raleigh Central office in lieu of the Asheboro District Office (this required approximately 8 additional months). The developer had to delay the beginning of all construction until this issue was resolved.

3) Re-submittal of Entrance driveway Permit

The NCDOT granted the developer a driveway permit with a deceleration lane along the east bound US Hwy. #64. In the interest of safety, the developer has re-applied to the NCDOT for a revised permit that would include an acceleration lane in addition to the deceleration lane. In that this area is in a Control of Access location, the approval must be reviewed by the Main office in Raleigh. This has taken more time than anticipated and therefore the construction of the entrance has been delayed.

4) Septic Soil suitability investigations

Soil evaluation studies have been extended due to the placement of a water line easement along the rear portion of several lots that adjoin the Hwy. The relocation of the bore crossing also resulted in the NCDOT requiring that a portion of the 8" waterline be moved outside of the Right-of-Way. This waterline and easement eliminated a portion of the available septic suitable soils previously available to the project.

5) Construction Grading, Rock Excavation.

The construction has been significantly slowed because of the excessive amount of sub-terrain rock that needs to be removed from the road bed area in order to meet the NCDOT roadway construction standards for grade and drainage as is required for this project.

The rock has been particularly troublesome because of the type of formation; which was large boulders, as opposed to bed or shelf rock that could be blasted and thus allow only what was needed to be removed. In this case each boulder/stone needed to be individually dug out and removed and suitable backfill replacement material then needed to be placed in the void and compacted before the actual road construction could begin.

The remaining roadway is showing evidence of the same burdensome rock conditions, and it is apparent that the entire site will be equally as difficult to construct. The additional cost to dig and remove this type of rock structure is more expensive for removal and replacement than if blasting were possible.

6) Reduction of construction related disturbed area due to phasing:

In the interest of environmental responsibility, the developer, who originally received design approval for the entire 50 lot project, understands that the construction process

should be conducted in phases so as to prevent the lengthy exposure of disturbed earth which is difficult to control or prevent from transporting to the sensitive creeks and streams in and around the project site.

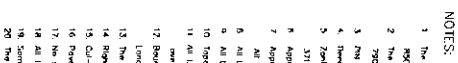
If you should have any questions or need additional information, please don't hesitate to give me a call.

Sincerely;



John W. Harris, P.E.
Consulting Engineer

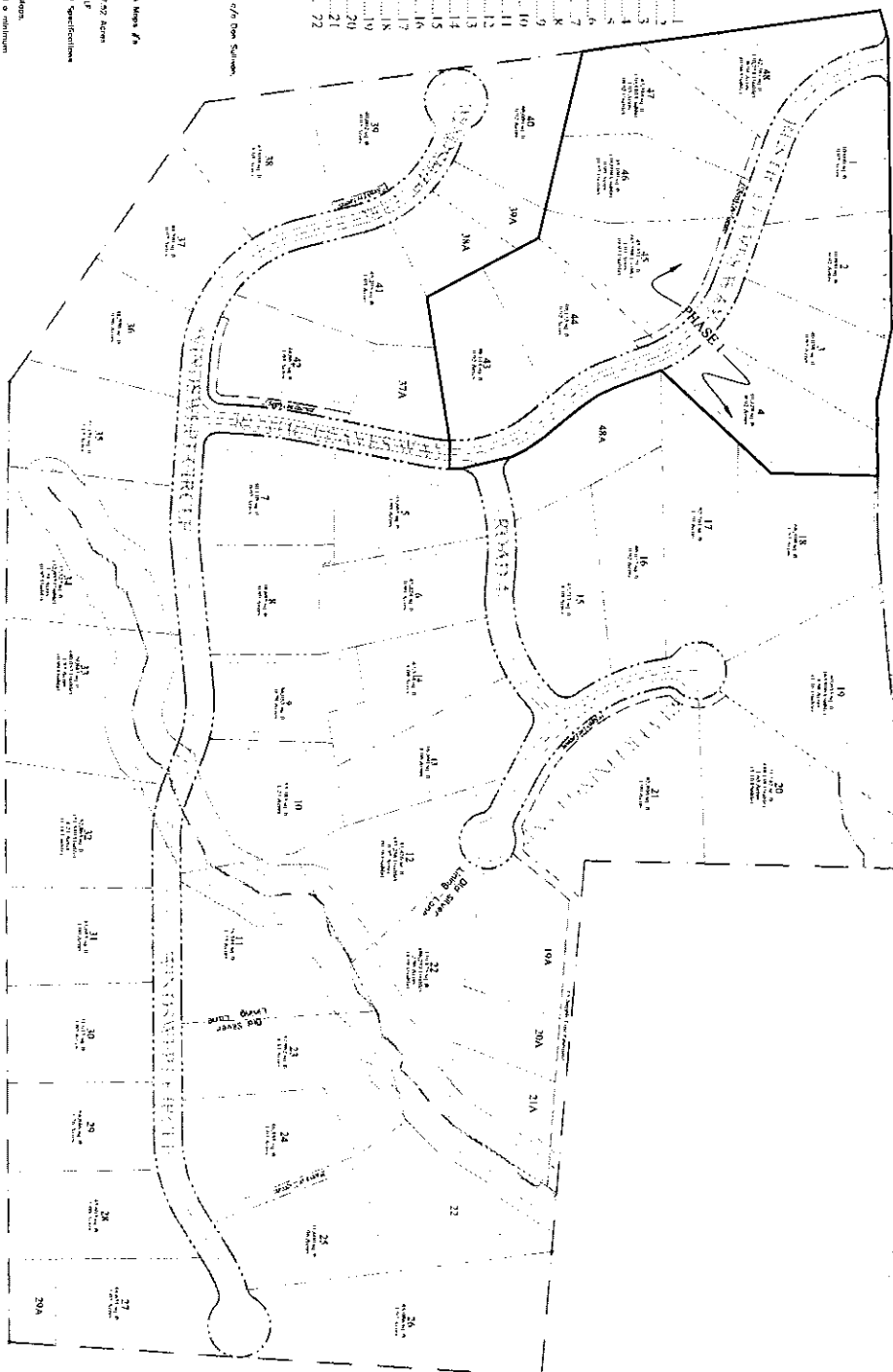
A hand-drawn sketch of a building with a chimney, labeled "Vicinity Map". The sketch is oriented vertically, with the building's main structure on the left and a chimney on the right. The drawing is simple, using black lines on a white background.



Vicinity Map

COVER SHEET OVERALL SITE PLAN	1
SITE MAP AND DRAWING OF DRAINAGE STAGE 1	2
PLAN & PROFILE RUSTIC LEAVES WAY STAGE 1	3
PLAN & PROFILE RUSTIC LEAVES WAY STAGE 2	4
PLAN & PROFILE WINDSPLOT CIRCLE STAGE 1	5
PLAN & PROFILE WINDSPLOT CIRCLE STAGE 2	6
PLAN & PROFILE SILVER LINING LANE STAGE 1	7
PLAN & PROFILE ROAD LANE STAGE 1	8
PLAN & PROFILE ROAD LANE STAGE 2	9
DRAINAGE DETAIL STATION - STAGE 2	10
PLAN & PROFILE RUSTIC LEAVES WAY STAGE 2	11
PLAN & PROFILE RUSTIC LEAVES WAY STAGE 2	12
PLAN & PROFILE WINDSPLOT CIRCLE STAGE 2	13
PLAN & PROFILE SILVER LINING LANE STAGE 2	14
PLAN & PROFILE ROAD LANE STAGE 2	15
WATERLIND PLAN & PROFILE	16
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1. The Designer is: Cambridge Development Company, c/o Don Sullivan, 8600-2001 54 Street Road, Redhill, N.C. 22013
2. The Engineer is: John W. Sartin, P.E. Consulting Engineer, 7700 Ocean Court, Raleigh, N.C. 27612, (919) 706-0744
3. Draw # 0177-01-13-NBC-000
4. See Reference Sheet 424, Pg. 0170
5. Zoning: B-2-40, Wetland Determination: wet-1/PA, FEMA Maps: 6/3/1970/25024, 3/19/1970/25031, same as in Zone X
6. Appropriate Water Level of Land in the Subdivided: - 6.53' ASL
7. Appropriate Flood Elevation: First Foot of Flooded Area: - 6.53' ASL
8. All Areas will be Public and Built to NCEM Standards and Specifications
9. All Lots will be Single Family Detached
10. All Lots will be served with Public Water & Sewer Lines
11. Topographic Information was taken from USGS Quadrangle Maps.
12. All Lots will have a minimum lot size of 40,000 sq. ft. and a minimum coverage of 44% with 110'
13. Boundary Information was taken from information provided by Don Sullivan, P.E. 1000 Highway 11 Street, c/o Don Sullivan, N.C. 22013
14. The Property Owner is: Panamint Energy, L.P. Panamint Energy, Project # 13457, DM 1277, PG 080
15. Right of Way width will be 30' with 20' Appurtenant surface
16. Out-of-lot Easement will be 35' Right of Way
17. Easement Easement in California will be 40'
18. No structure or other systems shall be located in the Water Regard Buffer areas
19. All lots will be received individually
20. Open lots will be served by off-site water lines (7.5' to 8' in size)
21. The Subdivisions owner is: California (formed) well, c/o R.799, access



1. No cemeteries, churches, or religious sites were found on this property.
2. Public utility easements are also located within the MCDOT R/W stub to the east and west properties.
3. "A" lots are off-site traffic lots. There are 11 of these lots.
4. The approximate average slope of the entire site is 0.5%.

Cover Sheet/Overall Site Plan
For
Pennington South Subdivision

Date: 21 May 2007
Scale: 1" = 100'
Drawn By: BAHLER
Job #: 60613
File: 2006-05-21 10:00:00
Revision: 2-1-1, 4-2-1, 4-2-2, 4-2-3, 4-2-4, 4-2-5, 4-2-6, 4-2-7, 4-2-8, 4-2-9, 4-2-10, 4-2-11, 4-2-12, 4-2-13, 4-2-14, 4-2-15, 4-2-16, 4-2-17, 4-2-18, 4-2-19, 4-2-20, 4-2-21, 4-2-22, 4-2-23, 4-2-24, 4-2-25, 4-2-26, 4-2-27, 4-2-28, 4-2-29, 4-2-30, 4-2-31, 4-2-32, 4-2-33, 4-2-34, 4-2-35, 4-2-36, 4-2-37, 4-2-38, 4-2-39, 4-2-40, 4-2-41, 4-2-42, 4-2-43, 4-2-44, 4-2-45, 4-2-46, 4-2-47, 4-2-48, 4-2-49, 4-2-50, 4-2-51, 4-2-52, 4-2-53, 4-2-54, 4-2-55, 4-2-56, 4-2-57, 4-2-58, 4-2-59, 4-2-60, 4-2-61, 4-2-62, 4-2-63, 4-2-64, 4-2-65, 4-2-66, 4-2-67, 4-2-68, 4-2-69, 4-2-70, 4-2-71, 4-2-72, 4-2-73, 4-2-74, 4-2-75, 4-2-76, 4-2-77, 4-2-78, 4-2-79, 4-2-80, 4-2-81, 4-2-82, 4-2-83, 4-2-84, 4-2-85, 4-2-86, 4-2-87, 4-2-88, 4-2-89, 4-2-90, 4-2-91, 4-2-92, 4-2-93, 4-2-94, 4-2-95, 4-2-96, 4-2-97, 4-2-98, 4-2-99, 4-2-100, 4-2-101, 4-2-102, 4-2-103, 4-2-104, 4-2-105, 4-2-106, 4-2-107, 4-2-108, 4-2-109, 4-2-110, 4-2-111, 4-2-112, 4-2-113, 4-2-114, 4-2-115, 4-2-116, 4-2-117, 4-2-118, 4-2-119, 4-2-120, 4-2-121, 4-2-122, 4-2-123, 4-2-124, 4-2-125, 4-2-126, 4-2-127, 4-2-128, 4-2-129, 4-2-130, 4-2-131, 4-2-132, 4-2-133, 4-2-134, 4-2-135, 4-2-136, 4-2-137, 4-2-138, 4-2-139, 4-2-140, 4-2-141, 4-2-142, 4-2-143, 4-2-144, 4-2-145, 4-2-146, 4-2-147, 4-2-148, 4-2-149, 4-2-150, 4-2-151, 4-2-152, 4-2-153, 4-2-154, 4-2-155, 4-2-156, 4-2-157, 4-2-158, 4-2-159, 4-2-160, 4-2-161, 4-2-162, 4-2-163, 4-2-164, 4-2-165, 4-2-166, 4-2-167, 4-2-168, 4-2-169, 4-2-170, 4-2-171, 4-2-172, 4-2-173, 4-2-174, 4-2-175, 4-2-176, 4-2-177, 4-2-178, 4-2-179, 4-2-180, 4-2-181, 4-2-182, 4-2-183, 4-2-184, 4-2-185, 4-2-186, 4-2-187, 4-2-188, 4-2-189, 4-2-190, 4-2-191, 4-2-192, 4-2-193, 4-2-194, 4-2-195, 4-2-196, 4-2-197, 4-2-198, 4-2-199, 4-2-200, 4-2-201, 4-2-202, 4-2-203, 4-2-204, 4-2-205, 4-2-206, 4-2-207, 4-2-208, 4-2-209, 4-2-210, 4-2-211, 4-2-212, 4-2-213, 4-2-214, 4-2-215, 4-2-216, 4-2-217, 4-2-218, 4-2-219, 4-2-220, 4-2-221, 4-2-222, 4-2-223, 4-2-224, 4-2-225, 4-2-226, 4-2-227, 4-2-228, 4-2-229, 4-2-230, 4-2-231, 4-2-232, 4-2-233, 4-2-234, 4-2-235, 4-2-236, 4-2-237, 4-2-238, 4-2-239, 4-2-240, 4-2-241, 4-2-242, 4-2-243, 4-2-244, 4-2-245, 4-2-246, 4-2-247, 4-2-248, 4-2-249, 4-2-250, 4-2-251, 4-2-252, 4-2-253, 4-2-254, 4-2-255, 4-2-256, 4-2-257, 4-2-258, 4-2-259, 4-2-260, 4-2-261, 4-2-262, 4-2-263, 4-2-264, 4-2-265, 4-2-266, 4-2-267, 4-2-268, 4-2-269, 4-2-270, 4-2-271, 4-2-272, 4-2-273, 4-2-274, 4-2-275, 4-2-276, 4-2-277, 4-2-278, 4-2-279, 4-2-280, 4-2-281, 4-2-282, 4-2-283, 4-2-284, 4-2-285, 4-2-286, 4-2-287, 4-2-288, 4-2-289, 4-2-290, 4-2-291, 4-2-292, 4-2-293, 4-2-294, 4-2-295, 4-2-296, 4-2-297, 4-2-298, 4-2-299, 4-2-300, 4-2-301, 4-2-302, 4-2-303, 4-2-304, 4-2-305, 4-2-306, 4-2-307, 4-2-308, 4-2-309, 4-2-310, 4-2-311, 4-2-312, 4-2-313, 4-2-314, 4-2-315, 4-2-316, 4-2-317, 4-2-318, 4-2-319, 4-2-320, 4-2-321, 4-2-322, 4-2-323, 4-2-324, 4-2-325, 4-2-326, 4-2-327, 4-2-328, 4-2-329, 4-2-330, 4-2-331, 4-2-332, 4-2-333, 4-2-334, 4-2-335, 4-2-336, 4-2-337, 4-2-338, 4-2-339, 4-2-340, 4-2-341, 4-2-342, 4-2-343, 4-2-344, 4-2-345, 4-2-346, 4-2-347, 4-2-348, 4-2-349, 4-2-350, 4-2-351, 4-2-352, 4-2-353, 4-2-354, 4-2-355, 4-2-356, 4-2-357, 4-2-358, 4-2-359, 4-2-360, 4-2-361, 4-2-362, 4-2-363, 4-2-364, 4-2-365, 4-2-366, 4-2-367, 4-2-368, 4-2-369, 4-2-370, 4-2-371, 4-2-372, 4-2-373, 4-2-374, 4-2-375, 4-2-376, 4-2-377, 4-2-378, 4-2-379, 4-2-380, 4-2-381, 4-2-382, 4-2-383, 4-2-384, 4-2-385, 4-2-386, 4-2-387, 4-2-388, 4-2-389, 4-2-390, 4-2-391, 4-2-392, 4-2-393, 4-2-394, 4-2-395, 4-2-396, 4-2-397, 4-2-398, 4-2-399, 4-2-400, 4-2-401, 4-2-402, 4-2-403, 4-2-404, 4-2-405, 4-2-406, 4-2-407, 4-2-408, 4-2-409, 4-2-410, 4-2-411, 4-2-412, 4-2-413, 4-2-414, 4-2-415, 4-2-416, 4-2-417, 4-2-418, 4-2-419, 4-2-420, 4-2-421, 4-2-422, 4-2-423, 4-2-424, 4-2-425, 4-2-426, 4-2-427, 4-2-428, 4-2-429, 4-2-430, 4-2-431, 4-2-432, 4-2-433, 4-2-434, 4-2-435, 4-2-436, 4-2-437, 4-2-438, 4-2-439, 4-2-440, 4-2-441, 4-2-442, 4-2-443, 4-2-444, 4-2-445, 4-2-446, 4-2-447, 4-2-448, 4-2-449, 4-2-450, 4-2-451, 4-2-452, 4-2-453, 4-2-454, 4-2-455, 4-

 **John W. Harris, P.E.**
Consulting Engineer, Inc.
5112 Bur Oak Circle
Raleigh, N.C. 27612
(919) 789-0744

