

10018 WITHERS RD

19921149

1/4/2008

duponbj

Groundwater and Wastewater Services File Imaging Project
May 2007
Barcode Font = IDAutomationHC39M

4014 B

Rec 7/2/99

199-211-49

10018 Withers Rd

RAYBURN, MOON & SMITH, P.A.

ATTORNEYS AT LAW
THE CARILLON
SUITE 1200
227 WEST TRADE STREET
CHARLOTTE, NORTH CAROLINA 28202-1675

ALBERT F. DURHAM
TRAVIS W. MOON
C. RICHARD RAYBURN, JR.
JAMES C. SMITH
W. SCOTT COOPER
JAMES L. BAGWELL
PATRICIA B. EDMONDSON
PAUL R. BAYNARD
JAMES B. GATEHOUSE
G. KIRKLAND HARDYMON
NATALIE R. DENTON
ROBERT A. COX, JR.
TRICIA L. ROLEWICZ

TELEPHONE
704-334-0891

TELECOPIER
704-377-1897

October 7, 1999

Bill Marlin
Mecklenburg County Health Department
Environmental Health Division
c/o Hal Marshall Ctr.
Suite 211
700 N. Tryon Street
Charlotte, North Carolina 28202

RE: Application for Improvement Permit for Residential Site
Lot 5, Withers Road
Mecklenburg County, North Carolina

Dear Mr. Marlin:

I spoke with you a couple of months ago regarding the Application for Improvement Permit for Residential Site for Lot 5, Withers Road. You informed me that in order for you to conduct the test for a septic tank, the side lines of the property needed to be marked.

I have spoken to Jack Christian, who has surveyed the property, about employing him to mark the side lines. However, since this property belongs to a corporation that is in bankruptcy, we must request the Court's approval in order to employ Mr. Christian. We are in the process of seeking the Court's approval to have Mr. Christian mark the side lines.

I will notify you as soon as the side lines are marked. If there is any further information you need or anything else we need to do in order to have our application processed, please let me know. My telephone number is (704) 334-0891.

With kindest regards, I am

Sincerely yours,

RAYBURN, MOON & SMITH, P.A.

Robert A. Cox, Jr.

RAC\slm

[redacted] OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES
[redacted] ENVIRONMENTAL HEALTH
ON-SITE WASTEWATER SECTION

ACS #2

Sheet: _____
Property ID: 199-211-44
Lot #: 5
File #: 40148

SOIL/SITE EVALUATION
for ON-SITE WASTEWATER SYSTEM

OWNER: Apple Realty 2000 Inv. APPLICANT: Raybourn, Moon, & Smith PA
ADDRESS: c/o Albert Durham, Trustee 227 W. Trade St. Charlotte DATE EVALUATED: 2-3-00
PROPOSED FACILITY: residence PROPOSED DESIGN FLOW (.1949) no figure PROPERTY SIZE: .46
LOCATION OF SITE: 10018 Weskan Withers Road PROPERTY RECORDED: _____
WATER SUPPLY: ☐~~Private~~ ☐Public ☒~~Well~~ ☐Spring ☐Other _____
EVALUATION METHOD: ☐~~Augur Boring~~ ☐Pit ☐Cut
TYPE OF WASTEWATER: ☐~~Sewage~~ ☐Industrial Process ☐Mixed

PROFILE #	.1940 Landscape Position/ Slope %	Horizon Depth (IN.)	SOIL MORPHOLOGY (.1941) .1941 STRUCTURE/ TEXTURE	.1941 CONSISTENCE MINERALOGY	OTHER PROFILE FACTORS .1942 SOIL WETNESS/ COLOR	.1943 SOIL DEPTH	.1956 SAPRO CLASS	.1944 RESTR HORIZ	PROFILE CLASS &LTAR
	Slopes 2-6%								
1	LS	0-8"	gr/cl	Fr/SEXP/SS/SP	>46" TO SOIL WETNESS	46"	N/A	None	IV PS .291 F2
		8-42"	SBK/C	F:/SEXP/S/P					
		42-46"	SBK/C	VF:/Mixed//US/UP					
2	LS	0-6"	gr/cl	Fr/SEXP/SS/SP	>48" TO SOIL WETNESS	48"+	N/A	None	III PS .291 F2
		6-38"	SBK/C	F:/SEXP/S/P					
		38-48"	SBK/C	VF:/Mixed//US/UP					
3	LS	0-8"	gr/cl	Fr/SEXP/SS/SP	>36" TO SOIL WETNESS	36"+	N/A	None	US
		8-30"	SBK/C	F:/SEXP/S/P					
		30-36"	SBK/C	VF:/Mixed//US/UP					
4	LS	0-3"	gr/cl	Fr/SEXP/SS/SP	>40" TO SOIL WETNESS	40"+	N/A	None	US
		3-27"	SBK/C	F:/SEXP/S/P					
		27-40"	SBK/C	VF:/Mixed//US/UP					
5	LS	0-8"	gr/cl	Fr/SEXP/SS/SP	>39" TO SOIL WETNESS	39"+	N/A	None	US
		8-33"	SBK/C	F:/SEXP/S/P					
		33-39"	SBK/C	VF:/Mixed//US/UP					

DESCRIPTION	INITIAL SYSTEM	REPAIR SYSTEM
Available Space (.1945)	US	
System Type(s)		
Site LTAR		

OTHER FACTORS (.1946): _____
SITE CLASSIFICATION (.1948): Unsuitable
EVALUATED BY: W.R. Mallis LSS 2-4-00
OTHER(S) PRESENT: _____

FILE # 40148

COMMENTS Not sure if 100% Repair
Lot does require 100% Repair - Deeded 1986
5713-286 - Deed Ref.
Checked at Register of Deeds office 7-9-03
WJM - 7-9-03

LANDSCAPE POSITION	GROUP	TEXTURE	.1955 LTAR
R-RIDGE	I	S-SAND	1.2-0.8
S-SHOULDER SLOPE		LS-LOAMY SAND	
L-LINEAR SLOPE			
FS-FOOT SLOPE	II	SL-SANDY LOAM	0.8-0.6
N-NOSE SLOPE		L-LOAM	
H-HEAD SLOPE			
CC-CONCLAVE SLOPE	III	SI-SILT	0.6-0.3
CV-CONVEX SLOPE		SICL-SILTY CLAY LOAM	
T-TERRACE		CL-CLAY LOAM	
FP-FLOOD PLAIN		SCL-SANDY CLAY LOAM	
	IV	SC-SANDY CLAY	0.4-0.1
		SIC-SILTY CLAY	
		O-ORGANIC	

CONSISTENCE MOIST	CONSISTENCE WET
VFR-VERY FRIABLE	NS-NON-STICKY
FR-FRIABLE	SS-SLIGHTLYSTICKY
FI-FIRM	S-STICKY
VFI-VERY FIRM	VS-VERY STICKY
EFI-EXTREMELY FIRM	NP-NON-PLASTIC
	SP-SLIGHTLYSTICKY
	P-PLASTIC
	VP-VERY PLASTIC

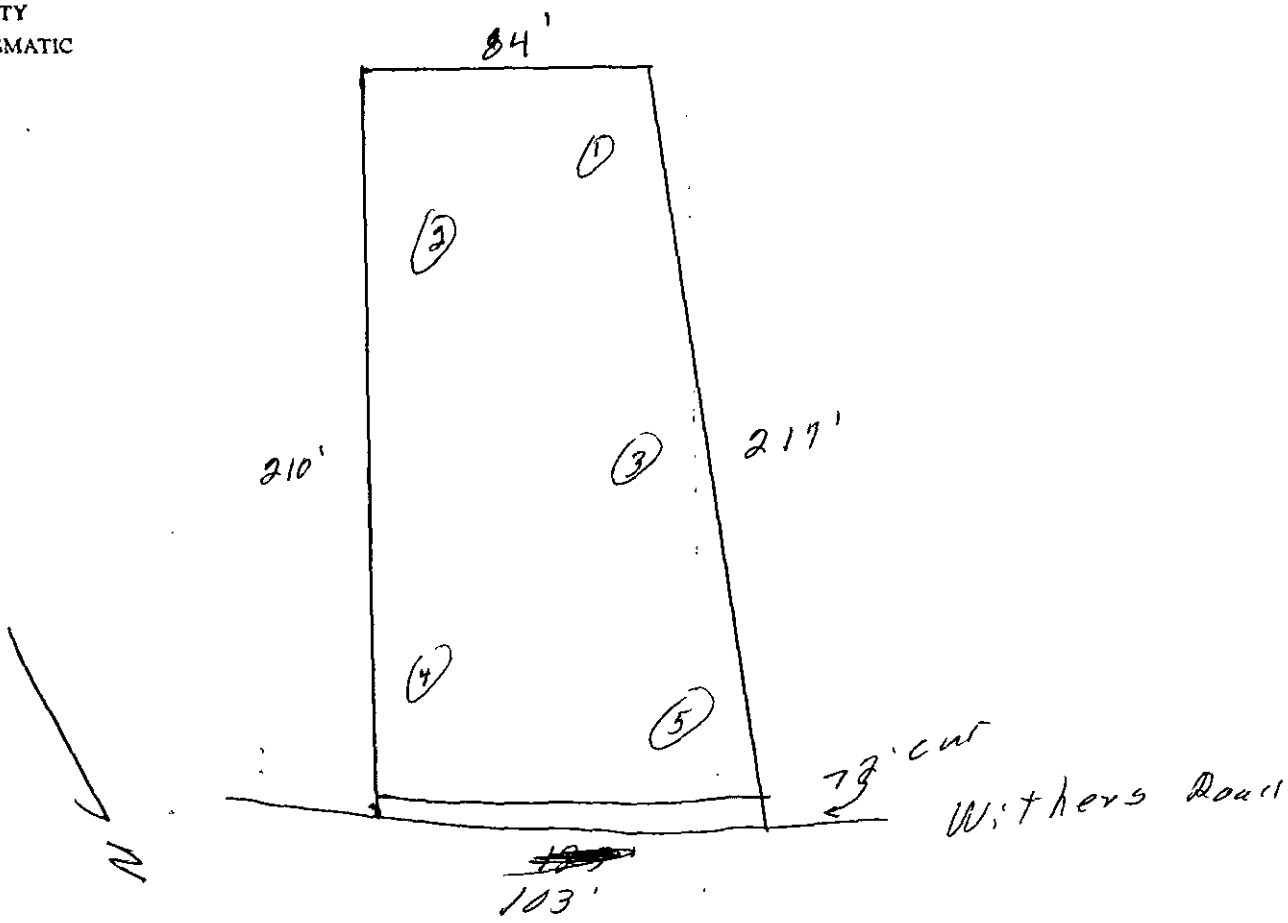
STRUCTURE

SG-SINGLE GRAIN
M-MASSIVE
CR-CRUMB
GR-GRANULAR
SBK-SUBANGULAR BLOCKY
ABK-ANGULAR BLOCKY
PL-PLATY
PR-PRISMATIC

MINERALOGY

SLIGHTLY EXPANSIVE

EXPANSIVE



MECKLENBURG COUNTY LAND USE AND ENVIRONMENTAL SERVICES AGENCY
CREDIT/REFUND APPLICATION & ADJUSTMENT FORM

See back for completion instructions and the Credit/Refund Schedule

PVQ LUE 000

SECTION I - IF CREDIT OR REFUND (To Be Completed By Requestor)

CREDIT ■

OR

REFUND ■

1. Property Owner's Name: William Bruno
2. Permit Number:
3. Address:
4. Date Issued: 7/7/03
5. Reason for Request: (✓one) ☐ Plan Change ☐ Duplicate Permit ____ Duplicate Permit # ____ Date of Duplicate ☒ Not Doing Work ☐ Other (Specify)
6. Account Name: Account #
7. If Refund, Check payable to: Daniel W. Bryant (Please Print) 8. Phone 704-965-0624
9. Address: 9713 Concord Hwy (Street) Indian Trail (City) NC (State) 28079 (Zip)
10. Signature: 11. Printed Name 12. Date: 7/7/03

For Departmental use only - Do not write below this line

SECTION II - IF ADJUSTMENT (To Be Completed By Employee & Supervisor)

Incorrect Entry	Correct Entry	Reason	Emp Initials	Date	Superv Initials	Date

SECTION III - INSPECTION COUNT AND PURGING (To Be Completed By Applicable Core Process)

	B	E	M	P	F	L
# Of made Inspections						

Purging: ☐B ☐E ☐M ☐P ☐S ☐F ☐L

Initials _____ Date _____

Expired Permit ☐

SECTION IV - CALCULATIONS (To Be Completed By Applicable Core Process)

Plan Review? (Y/ N)	Inspection Info	Credit/Refund%	Min Fee? (Y/N)	Permit Fee	Credit/Refund Amount
N %	%	100 %	$ 200.00	$ 200.00	$ 200.00
Y=80%, N=90%	ea. Insp=10%	PR % - Insp %	Initials JKA	Date 7/7/03	Permit Fee X C/R% or Min Fee Whichever is greater

SECTION V - VERIFICATION (To Be Completed By Revenue Collection)

If Refund, Org/Account	Refund with Credit Balance	If Credit, Trans #	Account #	Initials	Entry Date
	8_03=0 9004=$				
8_03 = 0	Refund Charge on account	88---			

Section VI - APPROVALS (To Be Completed By Department And Finance Representatives)

Department Approval: _____ Date _____

Finance Approval: _____ Date _____

Refund from Account # _____

Check # _____

FEE: 200.00 CK 181

DATE: 7/7/03 Brandon

APPLICATION FOR IMPROVEMENT PERMIT FOR RESIDENTIAL SITE INDIVIDUAL WATER AND WASTEWATER SYSTEMS PROGRAM

1 1 CRT

TYPE APPLICATION: ✓ NEW SYSTEM ___ EXPANSION/ ALTERATION OF EXISTING SYSTEM ___ REPAIR OF EXISTING SYSTEM

NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT,
HEALTH, AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL HEALTH
ON-SITE WASTEWATER SECTION

FILE #: 4014B

PROPERTY INFORMATION (FROM ENGINEERING FORM) FOR JOB LOCATION:

TAX/PARCEL NUMBER: 199-211-49

STREET ADDRESS: 10,018 Withers Rd.

SUBDIVISION OR MOBILE HOME PARK NAME:

LOT NUMBER: 5

TYPE OF BUILDING (CHECK ONE):

___ SINGLE MOBILE HOME(S)
___ DOUBLE WIDE (D)
✓ HOUSE (H)
___ MODULAR HOME (M)
___ MULTIPLE FAMILY (U)
___ OTHER (O)

TOWNSHIP (CHECK ONE):

✓ 0 MECKLENBURG
___ 1 CHARLOTTE
___ 2 DAVIDSON
___ 3 CORNELIUS
___ 4 PINEVILLE
___ 5 MATTHEWS
___ 6 HUNTERSVILLE
___ 7 MINT HILL

HEATED SQUARE FOOTAGE: 1600 ??

NUMBER OF BEDROOMS: 3 NUMBER OF OCCUPANTS: 1

CLOSING DATE

Daniel W. Bryant wishes to get refunded of the $200 fee. He's no longer purchasing property as per phone conversation on 7-7-03 W.A. Medlin

FOUNDATION FOR RESIDENCE:

___ WITHOUT BASEMENT ON SLAB
✓ CRAWL SPACE
___ WITH BASEMENT /PLUMBING
___ WITH BASEMENT /NO PLUMBING

IF EXPANSION/ALTERATION OF EXISTING SYSTEM, DESCRIBE THE PROPOSED BUILDING ADDITION:

Bid Handled 7-7-03

WILL THERE BE A HOME BUSINESS IN THE RESIDENCE: ___ YES ✓ NO TYPE:

WATER SUPPLY (CHECK ONE):

___ COMMUNITY (C)
___ SHARED WELL (S)
___ MUNICIPAL (M)
___ OTHER 'SPRINGS' (O)
✓ PRIVATE WELL (P)

IF ANY OF THE FOLLOWING ARE LOCATED ON THE PROPERTY, PLEASE SHOW LOCATION ON PLAT:

BURIED CABLES, LANDFILLS, STUMPHOLES ___ YES ___ NO
EXISTING WASTEWATER SYSTEMS ___ YES ___ NO
EASTMENTS OR RIGHT-OF-WAYS ___ YES ___ NO
WELL, SPRINGS OR WATERLINES ___ YES ___ NO
DESIGNATED WETLANDS ___ YES ___ NO

PROPERTY OWNER:

NAME: Bruno (LAST) William (FIRST) J. (MI)

ADDRESS:

CITY: STATE: ZIP:

DAYTIME PHONE: ( ) –

LEGAL AGENT FOR PROPERTY OWNER, IF APPLICABLE:

NAME: Bryant (LAST) Daniel (FIRST) W. (MI)

DAYTIME PHONE: (704) 965-0624

WHAT DATE WAS THE PROPERTY ORIGINALLY DEEDED AND RECORDED?

An Improvement Permit is subject to suspension or revocation if site plans or the intended use change or if information submitted in this application is falsified or changed. The undersigned, owner, or legal agent for the owner, of the property described above as the "Job Location" has read the foregoing application, acknowledges that the contents of same are true, and authorizes agents of the Mecklenburg County Health Department to enter onto the property for the purpose of processing this request.

SIGNED: Brenda Bryant DATE: 7-3-03

MECKLENBURG COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
c/o HAL MARSHALL CTR., SUITE 211, 700 N. TRYON ST., CHARLOTTE, N.C. 28202., (704) 336-5102

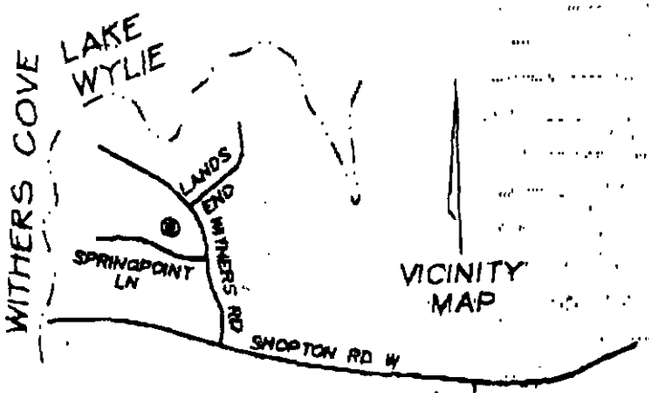
THIS IS TO CERTIFY THAT ON THE 3RD DAY OF MAY, 1999 I, SURVEYED THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE TITLE LINES, EASEMENTS, AND THE IMPROVEMENTS IF ANY ARE SHOWN HEREON.

SIGNED Jack R. Christian

REGISTERED SURVEYOR
JACK R. CHRISTIAN & ASSOCIATES
811 CENTRAL AVENUE, #8, CHARLOTTE, N.C.
PHONE: 704-332-4783

WITHERS

NORTH CAROLINA PROFESSIONAL SEAL L-2624 LAND SURVEYOR JACK R. CHRISTIAN



HANNAH J. WITHERS
DEED 911-426

WESTINGHOUSE BLVD

N 89°00'00" W 84.00'

N.I.P.

E.I.P.

DB 6333-1034

JOHN C. McMANUS
& JUDY S. MMANUS
DEED 5194-613

LOT 4
BLOCK 3

45' rear setback

LOT 5
BLOCK 3
21,097 sq.ft.
0.48 acres

Proposed house site

S 22°20'17" W 210.67'

N 14°59'50" E 217.71'

6' sideyard setback

30' setback line

HANNAH J. WITHERS
DEED 911-426

503.44' TO R/W OF SPRINGPOINT LANE

E.I.P.

S66°28'41"E
CHD=108.83'

9.06' R=603.60' L=108.00'
S60°36'31"E

E.I.P.

WITHERS ROAD
PUBLIC 60' R/W

File #
TC # 199-211-49

Christy Phillips

GRAPHIC SCALE
40 0 20 40

SURVEY

OF

LOT 5 BLOCK 3 RIVERWOOD (UNRECORDED MAP)

STEELE CREEK TOWNSHIP, MECKLENBURG COUNTY, NORTH CAROLINA

SCALE 1"=40'

THE PROPERTY OF: REALTY 2000, INC.
MAP RECORDED IN BOOK ____ AT PAGE ____ DEED RECORDED IN BOOK 6333 PAGE 1034

MECKLENBURG COUNTY
LAND USE AND ENVIRONMENTAL SERVICES
Payment Receipt

Receipt Information

Date: 07/07/03
Receipt #: 17249
Check / Auth #: CHECK 181
Received By: AIDOOJK

Amount: 200.00
Tendered: 200.00
Returned: 0.00

Account Information

Account #: 200000
Contractor: BRYANT BRENDA
Attn:
Address: 9713 CONCORD HIGHWAY
Address:
City/State/Zip: INDIAN TRAIL, NC 28079

Item	Description	Permit#	Quantity	Unit Price	Total Price
0701	Improvment Permit App-Residen 10018 WITHERS ROAD		1	200.00	200.00

Outstanding Balances

Month-To-Date	Prior Month	30 Days	60 Days	90 Days	Balance

FEE: 100.00 CK #1085

DATE: 7-2-99 V

APPLICATION FOR IMPROVEMENT PERMIT FOR RESIDENTIAL SITE INDIVIDUAL WATER AND WASTEWATER SYSTEMS PROGRAM

[ ] CRT

TYPE APPLICATION: ___ NEW SYSTEM ___ EXPANSION/ ALTERATION OF EXISTING SYSTEM ___ REPAIR OF EXISTING SYSTEM

NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT,
HEALTH, AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL HEALTH
ON-SITE WASTEWATER SECTION

FILE #: 4014B

PROPERTY INFORMATION (FROM ENGINEERING FORM) FOR JOB LOCATION:

TAX/PARCEL NUMBER: 199-211-49

STREET ADDRESS: 10018 Withers Road

SUBDIVISION OR MOBILE HOME PARK NAME:

LOT NUMBER: Lot 5, Withers Road

TOWNSHIP (CHECK ONE):

- X 0 MECKLENBURG
- ___ 1 CHARLOTTE
- ___ 2 DAVIDSON
- ___ 3 CORNELIUS
- ___ 4 PINEVILLE
- ___ 5 MATTHEWS
- ___ 6 HUNTERSVILLE
- ___ 7 MINT HILL

CLOSING DATE: n/a

TYPE OF BUILDING (CHECK ONE):

- ___ SINGLE MOBILE HOME(S)
- ___ DOUBLE WIDE (D)
- X HOUSE (H)
- ___ MODULAR HOME (M)
- ___ MULTIPLE FAMILY (U)
- ___ OTHER (O)

HEATED SQUARE FOOTAGE:

NUMBER OF BEDROOMS:

NUMBER OF OCCUPANTS:

FOUNDATION FOR RESIDENCE:

- ___ WITHOUT BASEMENT ON SLAB
- ___ CRAWL SPACE
- ___ WITH BASEMENT /PLUMBING
- ___ WITH BASEMENT /NO PLUMBING

IF EXPANSION/ALTERATION OF EXISTING SYSTEM, DESCRIBE THE PROPOSED BUILDING ADDITION:

WILL THERE BE A HOME BUSINESS IN THE RESIDENCE: ___ YES X NO TYPE:

WATER SUPPLY (CHECK ONE):

- ___ COMMUNITY (C)
- ___ MUNICIPAL (M)
- XX PRIVATE WELL (P)
- ___ SHARED WELL (S)
- ___ OTHER 'SPRINGS' (O)

IF ANY OF THE FOLLOWING ARE LOCATED ON THE PROPERTY, PLEASE SHOW LOCATION ON PLAT:

BURIED CABLES, LANDFILLS, STUMPHOLES	___ YES ___ NO	WELL, SPRINGS OR WATERLINES	___ YES ___ NO
EXISTING WASTEWATER SYSTEMS	___ YES ___ NO	DESIGNATED WETLANDS	___ YES ___ NO
EASTMENTS OR RIGHT-OF-WAYS	___ YES ___ NO		

PROPERTY OWNER:

NAME: Apple Realty 2000, Inc. f/d/b/a Realty 2000, Inc.
(LAST) (FIRST) (MI)

ADDRESS: c/o Albert F. Durham, Trustee
227 W. Trade St., Suite 1200

CITY: Charlotte STATE: NC ZIP: 28202

DAYTIME PHONE: (704) 334 - 0891

LEGAL AGENT FOR PROPERTY OWNER, IF APPLICABLE:

NAME: Rayburn, Moon & Smith, P.A.
(LAST) (FIRST) (MI)

DAYTIME PHONE: (704 334 - 0891

c/o Albert F. Durham, Trustee

WHAT DATE WAS THE PROPERTY ORIGINALLY DEEDED AND RECORDED? 8/10/90

An Improvement Permit is subject to suspension or revocation if site plans or the intended use change or if information submitted in this application is falsified or changed. The undersigned, owner, or legal agent for the owner, of the property described above as the "Job Location" has read the foregoing application, acknowledges that the contents of same are true, and authorizes agents of the Mecklenburg County Health Department to enter onto the property for the purpose of processing this request.

SIGNED: Albert F. Durham Trustee in Bankruptcy DATE: 6/30/99

MECKLENBURG COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
c/o HAL MARSHALL CTR., SUITE 211, 700 N. TRYON ST., CHARLOTTE, N.C. 28202., (704) 336-5102

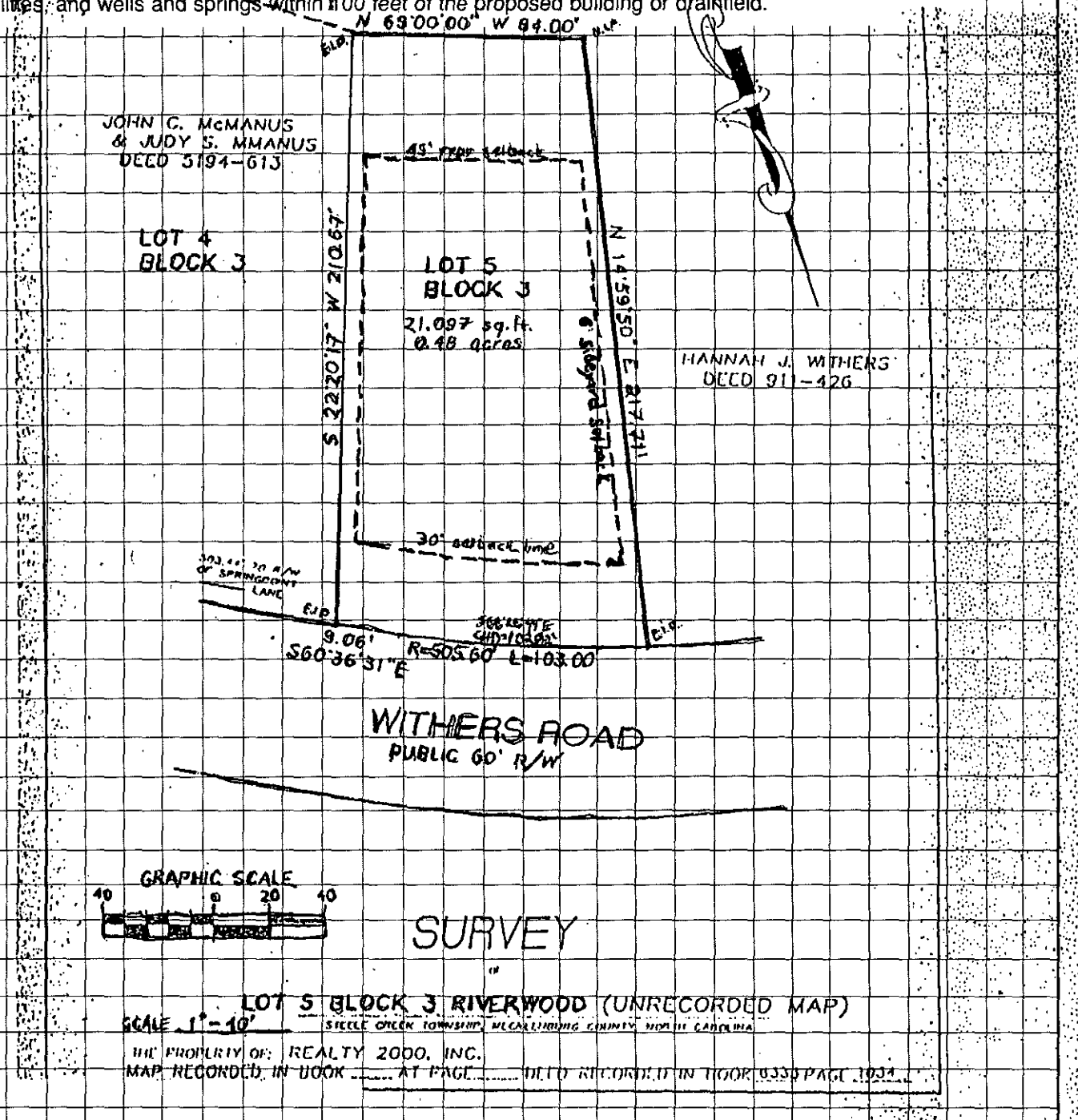
PROPOSED PLOT PLAN

HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
700 NORTH TRYON STREET
CHARLOTTE, NC 28202
PHONE (704) 336-5102

FILE: 4014B

TC: 199-211-49

Draw in and name all roads adjoining the property. Draw in and accurately dimension the lot concerned. Accurately indicate property boundaries proposed and/or existing structures and driveways, underground utilities, and wells and springs within 100 feet of the proposed building or drainfield.



Realty 2000
by Albert Henderson
President in Bankruptcy

OWNER/AGENT SIGNATURE

DATE 6/30/99

APPROVAL DATE _____

White - Health Department's Copy Canary - E.H.S. Copy Pink - Owner's Copy

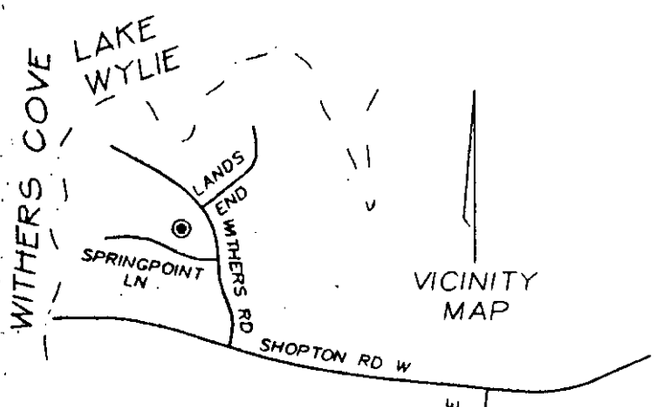
THIS IS TO CERTIFY THAT ON THE 3RD DAY OF MAY, 1999 I, SURVEYED THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE TITLE LINES, EASEMENTS, AND THE IMPROVEMENTS IF ANY ARE SHOWN HEREON.

SIGNED Jack R. Christian

REGISTERED SURVEYOR
JACK R. CHRISTIAN & ASSOCIATES
811 CENTRAL AVENUE, #6, CHARLOTTE, N.C.
PHONE: 704-332-4763

WITHERS

NORTH CAROLINA PROFESSIONAL SEAL L-2624 LAND SURVEYOR JACK R. CHRISTIAN



DB 6333-1034

HANNAH J. WITHERS
DEED 911-426

WESTINGHOUSE BLVD

N 69°00'00" W 84.00'

E.I.P.

N.I.P.

JOHN C. McMANUS
& JUDY S. MMANUS
DEED 5194-613

45' rear setback

LOT 4
BLOCK 3

LOT 5
BLOCK 3

21,097 sq.ft.
0.48 acres

S 22°20'17" W 210.67'

N 14°59'50" E 217.71'

6' sideyard setback

30' setback line

HANNAH J. WITHERS
DEED 911-426

503.44' TO R/W OF SPRINGPOINT LANE

E.I.P.

S66°26'41"E
CHD=102.82'

E.I.P.

9.06'
S60°36'31"E

R=505.60' L=103.00'

WITHERS ROAD
PUBLIC 60' R/W

GRAPHIC SCALE
40 0 20 40

SURVEY

OF

LOT 5 BLOCK 3 RIVERWOOD (UNRECORDED MAP)

SCALE 1"=40'

STEELE CREEK TOWNSHIP, MECKLENBURG COUNTY, NORTH CAROLINA

THE PROPERTY OF: REALTY 2000, INC.
MAP RECORDED IN BOOK ____ AT PAGE ____ DEED RECORDED IN BOOK 6333 PAGE 1034

RAYBURN, MOON & SMITH, P.A.

ATTORNEYS AT LAW
THE CARILLON
SUITE 1200
227 WEST TRADE STREET
CHARLOTTE, NORTH CAROLINA 28202-1675

ALBERT F. DURHAM
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NATALIE R. DENTON
ROBERT A. COX, JR.
TRICIA L. ROLEWICZ

TELEPHONE
704-334-0891

TELECOPIER
704-377-1897

June 30, 1999

Mecklenburg County Health Department
Environmental Health Division
c/o Hal Marshall Ctr.
Suite 211
700 N. Tryon Street
Charlotte, North Carolina 28202

RE: Application for Improvement Permit for Residential Site
Lot 5, Withers Road
Mecklenburg County, North Carolina

To Whom It May Concern:

The undersigned law firm represents Albert F. Durham, the Chapter 7 Trustee in the bankruptcy case of Apple Realty 2000, Inc., case number 94-30341, currently pending in Bankruptcy Court in the Western District of North Carolina. A copy of the Court's Order appointing Albert F. Durham Chapter 7 Trustee is attached hereto.

The above-referenced lot is a vacant lot that was owned by Apple Realty 2000, Inc. at the time that it filed bankruptcy. Therefore, it is property of the bankruptcy estate. It is the intention of Mr. Durham, as Trustee for the estate, to sale the lot and distribute the proceeds to the creditors of Apple Realty 2000 in accordance with the Bankruptcy Code. Mr. Durham does not intend to develop the lot in any way.

In order to maximize the proceeds from the sale of the lot, it is necessary to determine whether the lot would be suitable for a septic tank. The property has been surveyed and a copy of the survey is attached to the Proposed Plot Plat. The dimensions of a proposed house should have been staked out by the surveyor. However, as stated earlier, there are no plans by the Trustee to construct any house or other structure on this lot.

The Application for Improvement Permit for Residential Site Industrial Water and Wastewater System is attached hereto. Many of the items in the Application involve the specifications for a proposed structure. Since there are no existing building plans, these items have either been left blank or were speculated to by the Trustee to the best of his knowledge.

Also enclosed is the required $100.00 fee for the Improvement Permit. Please accept this letter as part of the Application for the Improvement Permit and as documentation of the legal representation of this bankruptcy estate.

If there are any questions or problems, please feel free to contact me. With kindest regards, I am

Sincerely yours,

RAYBURN, MOON & SMITH, P.A.

Robert A. Cox, Jr.

RAC\slm
Enclosures

FILED
U.S. BANKRUPTCY COURT
WESTERN DISTRICT OF N C

NOV 2 2 1996

J. BARON GROSHON
BY: ASW
Deputy Clerk

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA

IN RE:
Apple Realty 2000, Inc.
SSN/EIN: 56-1047622
fdba
Realty 2000, Inc. Bomac Realty, Inc.

Case No.: 94 - 30341

Chapter: 7

Debtor(s)

JUDGEMENT ENTERED ON NOV 2 2 1996

ORDER SUBSTITUTING TRUSTEE

It appearing to the Court that James E. Wall, Sr., the previously appointed interim trustee in this case, is disqualified due to a conflict of interest.

NOW, THEREFORE, James E. Wall, Sr. is hereby removed and Albert F. Durham is substituted as interim trustee to serve under his blanket bond.

Dated: November 22, 1996

George R. Hodges
United States Bankruptcy Judge