

10

-----Original Message-----

From: Johnny Randall [mailto:jrandall@email.unc.edu]

Sent: Sunday, January 25, 2004 9:48 AM

To: Warren Mitcell

Cc: Sally Greene; Jim Ward; Phil Mason; Peter White; Edward C. Harrison; Bill Strom; Kristen Sinclair

Subject: Creekside

Warren: I visited the Creekside site this past Saturday (January 24) and discovered that certain practices inconsistent with the terms of our conservation easement and Botanical Garden Foundation (BGF) land gift agreement are occurring. It is essential that these practices (cutting both dead and living trees, piling chips, and general undergrowth disturbance) be discontinued in the BGF areas and that conservation easement and land gift boundaries be installed.

The development permit states that for the "Conservation Area Requirements: That the applicant shall deed the land to the Botanical Garden Foundation, Inc., including approximately 43,560 square feet of conservation area in the southeastern part of the site, for reservation purposes, at the time of recordation of the final plat. This portion of the site is not intended for foot trails or recreation."

This is a biologically significant area that must be treated carefully if it is to remain as such and as 'conservation area.' Your company and partners have the opportunity to be good ecological stewards, which I hope you are interested in pursuing.

Very sincerely - Johnny Randall