

BK 01394 PG 0389

FILED May 19, 2021 01:48 pm	FILED
BOOK 01394	VANCE
PAGE 0389 THRU 0391	COUNTY NC
INSTRUMENT # 02106	CASSANDRA D. NEAL
RECORDING \$26.00	REGISTER
EXCISE TAX (None)	OF DEEDS
	CDN

NOTICE OF RESIDUAL PETROLEUM

925 S. Chestnut St Property Henderson, Vance County, North Carolina Incident #47746

Current Property Owners Map Book # 1209 Page # 0193

The property that is the subject of this Notice (hereinafter referred to as the "Site") contains residual petroleum and is an Underground Storage Tank (UST) incident under North Carolina's Statutes and Regulations, which consist of N.C.G.S. 143-215.94 and regulations adopted thereunder. This Notice is part of a remedial action for the Site that has been approved by the Secretary (or his/her delegate) of the North Carolina Department of Environmental Quality (or its successor in function), as authorized by N.C.G.S. Section 143B-279.9 and 143B-279.11. The North Carolina Department of Environmental Quality shall herein after be referred to as "DEQ".

NOTICE

Petroleum product was released and/or discharged at the Site. **Petroleum constituents remain on the site, but are not a danger to public health and the environment, provided that the restrictions described herein, and any other measures required by DEQ pursuant to N.C.G.S. Sections 143B-279.9 and 143B-279.11, are strictly complied with.** This "Notice of Residual Petroleum" is composed of a description of the property, the location of the residual petroleum and the land use restrictions on the Site. The Notice has been approved and notarized by DEQ pursuant to N.C.G.S. Sections 143B-279.9 and 143B-279.11 and has/shall be recorded at the Vance County Register of Deeds' office Book 01394, Page 0389-0039 |

Patricia A. and Irving Newman are the owners in fee simple of all or a portion of the Site, which is located in the City of Henderson, Vance County, State of North Carolina, and is known and legally described as:

Beginning at a Chisel mark on the back edge of the sidewalk on the Southside of Chestnut Street, C. O. Seifert's corner, and run thence along Chestnut Street N. 55 ½ E. 70 feet to an iron pin at the back edge of the sidewalk; thence S. 28 ½ E. 162 feet to an iron pin in J. F. Mills line, thence S. 61 ¼ W. 70 feet to an iron pin J. F. Mills corner in C. O. Seifert's line; thence along C. O. Seifert's line N. 28 ¼ W. 155 feet to the Beginning.

For protection of public health and the environment, the following land use restrictions required by N.C.G.S. Section 143B-279.9(b) shall apply to all of the above described real property. These restrictions shall continue in effect as long as residual petroleum remains on the site in excess of unrestricted use standards and cannot be amended or cancelled unless and until the Vance County Register of Deeds receives and records the written concurrence of the Secretary (or his/her delegate) of DEQ (or its successor in function).

PERPETUAL LAND USE RESTRICTIONS

[Restrictions apply to activities on, over, or under the land.]

Groundwater: Groundwater from the site is prohibited from use as a water supply. Water supply wells of any kind shall not be installed or operated on the site.

Soil: Soil containing residual petroleum above applicable regulatory standard(s) remains on the site along the southeast (rear) wall of the house structure on the northeast portion of the rear wall. No soil shall be excavated or disturbed along the southeast (rear) wall of the house, from the northeast corner of the rear wall, extending 20' to the southwest along the rear wall of the house structure and 10' out from the southeast (rear) wall of the exterior wall of the house, except to remediate the soil in accordance with all applicable state and federal statutes, regulations, and guidelines.

ENFORCEMENT

The above land use restriction(s) shall be enforced by any owner, operator, or other party responsible for the Site. The above Land Use restriction(s) may also be enforced by DEQ through any of the remedies provided by law or means of a civil action, and may also be enforced by any unit of local government having jurisdiction over any part of the Site. Any attempt to cancel this Notice without the approval of DEQ (or its successor in function) shall be subject to enforcement by DEQ to the full extent of the law. Failure by any party required or authorized to enforce any of the above restriction(s) shall in no event be deemed a waiver of the right to do so thereafter as to the same violation or as to one occurring prior or subsequent thereto.

IN WITNESS WHEREOF, Patricia A. Newman has caused this Notice to be executed pursuant to N.C.G.S. Sections 143B-279.9 and 143B-279.11, this 11 day of May, 2021.

By: Patricia A. Newman
(signature of responsible party, attorney or other agent if there is one)

Property Owner
(Title of agent for responsible party if there is one)

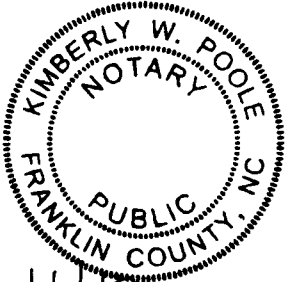
Signatory's name typed or printed: Patricia A. Newman.

STATE OF NORTH CAROLINA
Franklin COUNTY

I certify that the following person personally appeared before me this day, acknowledging to me that he signed the foregoing document: Patricia A. Newman.

Date: May 11, 2021

(Official Seal)



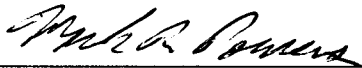
Kimberly W. Poole
(signature of Notary Public)

Kimberly W. Poole
(printed or typed name of Notary Public)

Notary Public

My commission expires 11/18, 2023

Approved for the purposes of N.C.G.S. 143B-279.11.



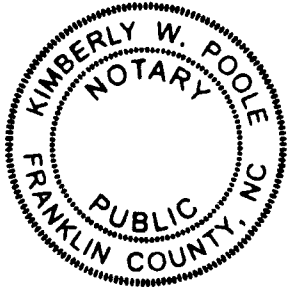
Mark Powers, Regional Supervisor
Raleigh Regional Office
UST Section
Division of Waste Management
Department of Environmental Quality

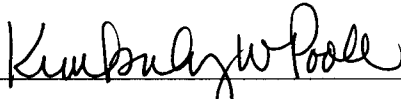
NORTH CAROLINA
Wake COUNTY
(Name of county in which acknowledgment was taken)

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: Mark Powers (full printed name of Regional Supervisor)

Date: 5/17/2021

(Official Seal)





(signature of Notary Public)
Kimberly W. Poole

(printed or typed name of Notary Public)

Notary Public

My commission expires: 11/18/2023