

Register of Deeds

Tammy L. Brunner
Wake County, NC

05/29/2025 09:13:41 AM

B: 019917 P: 02421 Pages: 3

SEE - SEE INSTRUMENT

Fee: \$26.00

DOCUMENT #2025016271



ENV

Return to: Mark Petermann
NCDEQ-Division of Waste Management
UST Section-Winston-Salem Regional Office
450 West Hanes Mill Road, Suite 300
Winston-Salem, NC 27105

NOTICE OF RESIDUAL PETROLEUM

1236 Wendell Falls Parkway (formerly 732 Poole Road, Wake County, NC)

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 hereinafter 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 Wake County Register of Deeds' office as stamped above.

Source Property

Wendell Commons, LLC c/o Barnett Properties, LLC of Henderson, North Carolina are the owners in fee simple of all or a portion of the Site, located in the County of Wake, State of North Carolina, and is known and legally described as:

BEING as described in Property Record Card as Deed Book and Page - 019879 and 02190-02191. BEING all of Tract 1, containing 19.80 net acres, as depicted on a map entitled, "Property Survey for Eva Roberts Estate, Marks Creek Township, Wake County, North Carolina," and recorded at Book of Maps 1983, Page 1069, Wake County Registry.

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 the above-described real property. These restrictions shall continue in effect for 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 Wake County Register of Deed receives and records the written concurrence of the Secretary (or his/her delegate) of DEQ (or its successor in function).

PERPETUAL LAND USE RESTRICTIONS

Groundwater: Groundwater in the area affected by the petroleum release at the site is prohibited from use as a water supply. No water supply wells of any kind shall be installed or operated on the site. See the attached figure showing the area of affected groundwater at the site property.

Revised October 19, 2006

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 by 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, Wayne Randolph has caused this Notice to be executed pursuant to N.C.G.S. Sections 143B-279.9 and 143B-279.11, this 7 day of May, 2025.

By: Wayne Randolph
Signature of Delegated DEQ Representative

Head of Trust Fund Branch/Underground Storage Tank Section
Title of the above Party

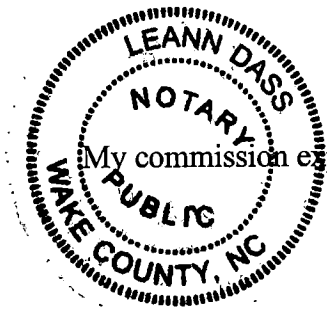
Signatory's name typed or printed: Wayne Randolph

NORTH CAROLINA

Wake COUNTY

I, Leann Dass, a Notary public certify that Wayne Randolph personally came before me this day and acknowledged that he is the Trust Fund Branch Head, UST Section of NC Department of Environmental Quality and that he as Trust Fund Branch Head being authorized to do so, executed the foregoing on behalf of NC Department of Environmental Quality.

WITNESS my hand and official seal, this 7th day of May, 2025.

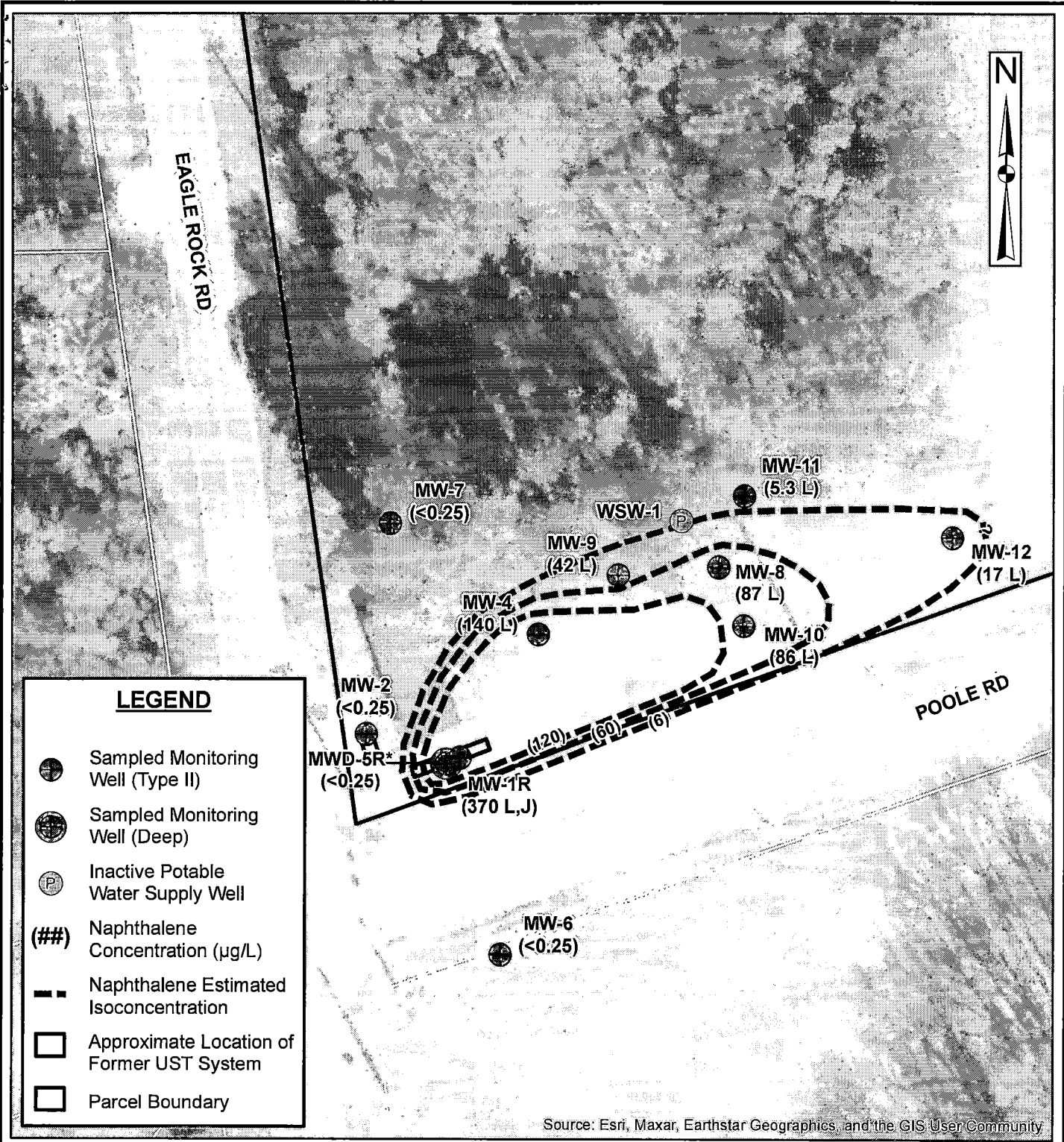


My commission expires 04/24/2027

Leann Dass
Leann Dass
Notary

This instrument was prepared by: Mark Petermann, UST Section

ATTACHMENT



CATLIN Engineers and Scientists	PROJECT COUNTRY CROSSROADS GROCERY 732 POOLE RD WENDELL, NC		TITLE ESTIMATED HORIZONTAL EXTENT OF NAPHTHALENE – OCTOBER 1, 2024			FIGURE
	INCIDENT NO. 17375	JOB NO. 221074	DATE NOV 2024	SCALE AS SHOWN	DRAWN BY/CHECKED BY KMC/SJO	7