

NOTICE OF RESIDUAL PETROLEUM

Former Gables Motel, Wake County, North Carolina
(site name)

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 Book 017364, Pages 00259 – 00260.
(name of county)

Any map or plat required by DEQ has been/shall be recorded at the Wake County Register of Deeds’ office Book 017364, Pages 00259 – 00260, and has been/shall be incorporated into the Notice by this reference.
(name of county)

Source Property

Gables Lodge LLC of Durham, North Carolina is the owner in fee
(owner's name) *(city & state of homeowner)*
simple of all or a portion of the Site, which is located in the County of Wake, State of North Carolina, and is known and legally described as:

Submitted electronically by "Hilton Silvers & McClanahan PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Wake County Register of Deeds.

Beginning at a point in the western line of Wake Forest Road, said point being the southernmost corner of Lot No.14 according to the map hereinafter referred to, and runs thence in a northwesterly direction 150 feet to a point, a corner of Lot No. 20; thence in a southwesterly direction with the rear lines of Lots Nos. 20, 21 and 22, 150 feet to the northwesterly corner of Lot No. 10; thence in a southeasterly direction with the line of Lot No. 10, 150 feet to a point in the western line of Wake Forest Road; thence in a northeasterly direction with said line of Wake Forest Road 150 feet to the point of Beginning, being Lots Nos. 11, 12 and 13 of the Mordecai Subdivision according to a map of the same recorded in Book of Maps 1920, page 110, Wake County Registry.

Additional Affected Property Also Subject to Restrictions

_____ of _____ is the owner in fee simple of a portion of
(owner's name) (city & state of owner)
the Site, which is located in the County of _____, State of North Carolina. Petroleum contamination is located on this property at the time this Notice is approved. This property was also owned or controlled by the underground storage tank owner or operator or another party responsible for the petroleum discharge or release at the time the discharge or release was discovered or reported, or at any time thereafter. This property is known and legally described as:

Not Applicable

Additional Affected Property Not Subject to Restrictions

Additionally residual petroleum is also located on the following property. The following property is not subject to land use restrictions pursuant to N.C.G.S. Section 143B-279.9(b). The following property is known and legally described as:

Not Applicable

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 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

- Soil:* Soil containing residual petroleum, above applicable regulatory standard(s), remains on the site at the location of soil boring T-1/SB-2. No soil shall be excavated or disturbed within four feet of this soil sample location and the location of the UST (see drawing in Exhibit A), except to remediate the soil in accordance with all applicable state and federal statutes, regulations and guidelines.
- 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.

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, Gables Lodge, LLC has caused this Notice to be executed pursuant to N.C.G.S. Sections 143B-279.9 and 143B-279.11, this 16TH day of APRIL, 2025.

Daniel Robinson
(name of responsible party if agent is signing)
By: 
(signature of responsible party, attorney or other agent if there is one)
Managing Member of Gables Lodge, LLC
(title of agent for responsible party if there is one)

Signatory's name typed or printed: Daniel Robinson

NORTH CAROLINA
Durham 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: DANIEL ROBINSON

Date: 4-16-25

(Official Seal)



Janet West
(signature of Notary Public)

JANET WEST
(printed or typed name of Notary Public)

Notary Public

My commission expires: 05-22-2026

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

Mark R. Powers
(signature of Regional Supervisor)

MARK R. POWERS, Regional Supervisor

(printed name of Regional Supervisor)

RALEIGH Regional Office

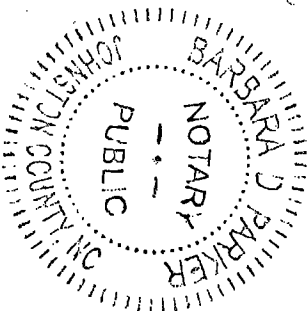
UST Section
Division of Waste Management
Department of Environmental Quality

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: 4/17/2025

(Official Seal)



Barbara D. Parker
(signature of Notary Public)

Barbara D. Parker
(printed or typed name of Notary Public)

Notary Public

My commission expires: 1/23/2028

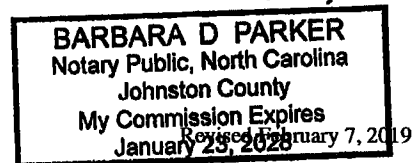


EXHIBIT A

