

Register of Deeds

Tammy L. Brunner
Wake County, NC

05/06/2025 01:47:08 PM

B: 019898 P: 02276 Pages: 2

SEE - SEE INSTRUMENT

Fee: \$26.00

DOCUMENT #2025007083



Mail after recording to: Scott C. Ryals, P.E.
UST Section
1646 Mail Service Center
Raleigh, NC 27699-1646

ENV

NOTICE OF RESIDUAL PETROLEUM

Texaco Food Mart, UST #33309, 2618 Lake Wheeler Rd, Raleigh, Wake County, North Carolina

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 remains 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 143B279.11, 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.

Youstous LLC the owner fee 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:

Being as described by **Pin ID 0046731**, 2618 Lake Wheeler Rd, Deed Book 19297, Page 993, recorded with the Office of the Register of Deeds of Wake County, North Carolina.

BEGINNING at a point in Lake Wheeler Road (formerly Rhamkatte Road) said point being located South 49° 30' West 30 feet from an iron stake marking the corner between John G. Bennett and R.L. Bennett land, said stake also being located 19.7 feet in a northwestern direction from the center line of said Lake Wheeler Road; runs thence along the original John G. Bennett line South 49° 30' West 149.25 feet to a stake, a corner with the John G. Bennett land; runs thence along the John G. Bennett line North 21° 20' West 53.9 feet to an iron stake; runs thence along another line of John G. Bennett North 45° 40' West 132.9 feet to an iron stake; runs thence along another line of John G. Bennett North 46° 59' East 142.3 feet to an iron stake, a corner of John G. Bennett in the southwestern line of a proposed 30-foot wide street; runs thence along the southwestern line of said 30-foot wide proposed street South 40° 55' East 189.5 feet to the point and place of **BEGINNING**, all in accordance with survey by John Y. Phelps, Jr., Registered Surveyor, dated 8/31/1976.

For protection of public health and the environment, the following land use restriction 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 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

Groundwater: Groundwater from the site is prohibited from use as a water supply in any other location than the current well location. New Water supply wells of any kind shall not be installed or operated on the site until the residual groundwater contamination can be shown to be within North Carolina Groundwater Standards.

ENFORCEMENT

The above land use restriction(s) shall be enforced by 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 23 day of April, 2025.

By: [Signature]
Signature of Delegated DEQ Representative

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

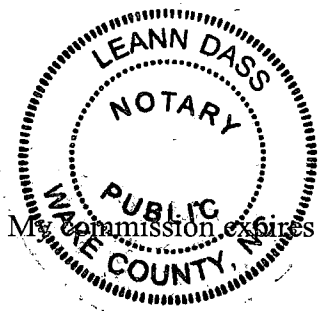
Signatory's name typed or printed: Wayne Randolph

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 23rd day of April 2025.



[Signature]
Leann Dass
Notary

04/24/2027

This instrument was prepared by: Scott C. Ryals, P.E., UST Section