



Type: CRP  
Recorded: 03/04/2024 at 04:51:44 PM  
Fee Amt: \$26.00 Page 1 of 4  
Gaston, NC  
Susan S. Lockridge Register of Deeds  
BK **5464** PG **684-687**

4 RECORDING \$216.00  
REVENUE 0  
NSF \_\_\_\_\_  
ROTC  PQ  CS   
*mail*

### NOTICE OF RESIDUAL PETROLEUM

Former Carson Property, 205 E Virginia Ave, UST#36635, Bessemer City, Gaston 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 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 Gaston Register of Deeds' office Book 4591, Page 2489.  
*(name of county)*

#### Source Property

Robert J Neunzig of 813 Robinson Rd, Dallas, NC 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 Gaston, State of North Carolina, and is known and legally described as:

Tract 4: Being Lots Nos. 41, 42 and 43 in Block 12, Section 3 of the Town of Bessemer City, N. C. as shown on map thereof recorded in Plat Book 1 Page 75 in the Gaston County Public Registry.

Additional Affected Property Also Subject to Restrictions

Robert J Neunzig of 813 Robinson Rd, Dallas, NC is the owner in fee simple of a portion of the Site, which is located in the County of Gaston, 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:

*Tract 1, 2, & 3 as described on the attached exhibit A.*

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:

*(Insert Legal Description of Other Real Property Affected by Residual Petroleum Not Owned or Controlled by Any Owner or Operator of the Underground Storage Tank or Other Responsible Party, if 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 Gaston 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 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, Wayne Randolph has caused this Notice to be executed pursuant to N.C.G.S. Sections 143B-279.9 and 143B-279.11, this 31 day of January, 2024.

Wayne Randolph  
By: [Signature] (name of responsible party if agent is signing)  
[Signature] (signature of responsible party, attorney or other agent if there is one)  
Head, Trust Fund Branch  
(title of agent for responsible party if there is one)

Signatory's name typed or printed: Wayne Randolph

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: Wayne Randolph

Date: January 31, 2024

(Official Seal)

[Signature]  
(Signature of Notary Public)  
Leann Dass  
(printed or typed name of Notary Public)  
Notary Public

My commission 04/24/2027

expires: 04/24/2027

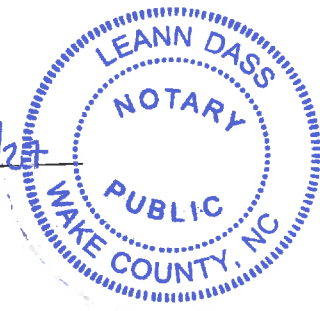


Exhibit "A"

Tract 1: Beginning at a stake, W. S. Matthews corner on the North side of Virginia Avenue (E. Main Street) in the Town of Bessemer City, N. C. and runs thence North 14-00 East 140 feet to a stake; thence North 76-00 West 51.50 feet to a stake; thence South 14-00 West 140 feet to a stake on the North side of Virginia Avenue; thence South 76-00 East 51.50 feet to the point of Beginning.

And being the full contents of Lots Nos. 33 and 34 and 1-1/2 feet off the westerly side of Lot No. 32, Block 12, Section 3 of the Town of Bessemer City shown on map recorded in Plat Book 1 Page 75 in the Gaston County Public Registry.

See deed recorded in Book 4360 Page 384, Gaston County Public Registry.

Tract 2: Being Lots Nos. 38, 39 and 40 in Block 12, Section 3, Town of Bessemer City, N.C. as shown on map thereof recorded in Plat book 1 Page 75 in the Gaston County Public Registry.

See deed recorded in Book 4360 Page 384, Gaston County Public Registry.

Tract 3: Beginning at an iron stake in the northerly line of Virginia Avenue at a point North 77-00 West 250 feet from the northwest corner or intersection of Virginia Avenue and 10<sup>th</sup> Street, G. H. Black's southwest corner, and thence with Black's line North 13 East 140 feet to a stake in the southerly line of a 20-foot alley; thence with the southerly line of the alley, North 77-00 West 75 feet to a stake, D. M. Rudisill's corner; thence South 13-00 West 140 feet to a stake in the northerly line of Virginia Avenue; thence South 77-00 East 75 feet to the point of Beginning; being Lots Nos. 35, 36 and 37 in Block 12, Section 3 of the Town of Bessemer City, N. C. shown on map thereof recorded in Plat Book 1 Page 75 in the Gaston County Public Registry.

See deed recorded in Book 4360 Page 384, Gaston County Public Registry.

Tract 4: Being Lots Nos. 41, 42 and 43 in Block 12, Section 3 of the Town of Bessemer City, N. C. as shown on map thereof recorded in Plat Book 1 Page 75 in the Gaston County Public Registry.

Being the identical property conveyed to Robert J. Neunzig by Neil M. Carson, III by deed recorded in Book 4537 Page 1120, Gaston County Public Registry.

No part of the above described property is the personal residence of the Grantor.