



2725 E. Millbrook Road, Suite 121
Raleigh, NC 27604
www.atc-enviro.com
919.871.0999
Fax 919.871.0335

August 4, 2004

Ms. Cindy H. Rintoul, P.G.
State of North Carolina
Department of Environment and Natural Resources
Winston-Salem Regional Office
Division of Waste Management - UST Section
585 Waughtown Street
Winston-Salem, North Carolina 27889

RECEIVED
N.C. Dept. of Env.

AUG 17 2004

Winston-Salem
Regional Office

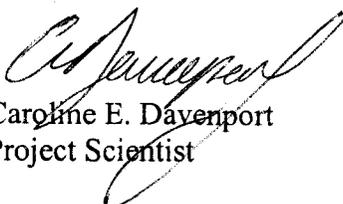
RE: Notice of Residual Petroleum
Elm Street Sunoco
2903 South Elm Street
Greensboro, North Carolina
ATC Project No. 45.75117.7516
Sunoco DUNS No. 0275-7516
NCDENR Incident No. 10076

Dear Ms. Rintoul:

ATC Associates of North Carolina, P.C. (ATC), on behalf of Sunoco, Inc., has completed the enclosed Notice of Residual Petroleum (NRP) for the above referenced site. The NRP was prepared in accordance with the Notice of Regulatory Requirements issued by the North Carolina Department of Environment and Natural Resources (NCDENR) on January 26, 2004.

If you have any questions or require additional information, please contact our office at (919) 871-0999.

Sincerely,
ATC Associates of North Carolina, P.C.


Caroline E. Davenport
Project Scientist


Genna K. Olson, P.G.
Project Manager

cc: Mr. David Bender – Sunoco, Inc.
Ms. Yvonne Monti – Sunoco, Inc.

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ATC ASSOCIATES, INC
RALEIGH, NC

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	07/28/2004	GUILFORD CO. NC	
1	MISC DOCUMENTS	872726	\$12.00
2	MISC DOC ADDN PGS		\$6.00
1	PROBATE FEE		\$2.00

RECORDED - 872726
 KATHERINE LEE PAYNE
 REGISTER OF DEEDS
 GUILFORD COUNTY, NC
 BOOK: 6140
 PAGE(S): 2530 TO 2533
 07/28/2004 15:51:11

NOTICE OF RESIDUAL PETROLEUM

MAFL To: Elm Street Sunoco, 2903 South Elm Street, Greensboro, Guilford County, North Carolina

ATC, 2725 E Milbrook Rd, Suite 121, Raleigh, N.C. 27604

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 Environment and Natural Resources (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 Environment and Natural Resources shall hereinafter be referred to as "DENR".

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 DENR 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 DENR pursuant to N.C.G.S. Sections 143B-279.9 and 143B-279.11 and has/shall be recorded at the Guilford County Register of Deeds' office Book ____, Page ____.

Source Property

Mr. Andrew J. Schlosser, Jr. of Greensboro, North Carolina is the owner in fee simple of all or a portion of the Site (other owners, A. J. Schlosser and William Schlosser are deceased), which is located in the County of Guilford, State of North Carolina, and is known and legally described as:

BEGINNING at an iron pipe in the eastern margin of South Elm Street, V. Kirkman's southwest corner, and running thence with said Kirkman's South line South 88°59' East 741.88 feet to an iron rod, Kirkman's southeastern corner; thence South 0° 28' East along the line of Burlington Mills Corporation, 781.50 feet to an iron pipe; thence continuing along the line of Burlington Mills Corporation South 12° 43' West 87.89 feet to an iron pipe; thence North 89° 10' West 596.63 feet to an iron pipe in the eastern margin of South Elm Street North 2° 5' East 600 feet to an iron pipe North of the bridge; thence continuing with the eastern margin of said South Elm Street North 0° 45' West 998.12 feet to the point of 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 Guilford County Register of Deeds receives and records the written concurrence of the Secretary (or his/her delegate) of DENR (or its successor in function).

PERPETUAL LAND USE RESTRICTIONS

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Soil: The Site shall be used for industrial/commercial use only. Industrial/commercial use means a use where exposure to soil contamination is limited in time and does not involve exposure to children or other sensitive populations such as the elderly or sick. The real property shall not be developed or utilized for residential purposes including but not limited to: primary or secondary residences (permanent or temporary), schools, daycare centers, nursing homes, playgrounds, parks, recreation areas and/or picnic areas.

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 DENR 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 DENR (or its successor in function) shall be subject to enforcement by DENR 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, Sunoco, Inc. has caused this Notice to be executed pursuant to N.C.G.S. Sections 143B-279.9 and 143B-279.11, this 25 day of June, 2004.

By: Andrew J. Schlosser, Jr.
(signature of responsible party)

Signatory's name typed or printed: Mr. Andrew J. Schlosser, Jr.

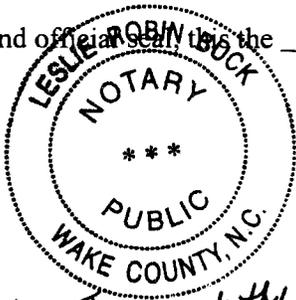
STATE OF NORTH CAROLINA

Wake County

I, Leslie Robin Buck, a Notary Public for said County and State, do hereby certify that Mr. Andrew J. Schlosser, Jr. personally came before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 25 day of June, 2004.

(Official Seal)



Leslie Robin Buck
Notary Public (signature)

My commission expires June 10th, 2008."

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

Cynthia Rintoul
(signature of Regional Supervisor)

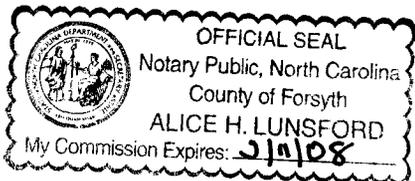
Cynthia Rintoul, Regional Supervisor

Winston-Salem Regional Office
UST Section
Division of Waste Management
Department of Environment and Natural Resources

NORTH CAROLINA
Forsyth COUNTY

I, Alice H. Lunsford, a Notary Public for said County and State, do hereby certify that Cynthia Rintoul, Regional Supervisor appeared before me this day and acknowledged that she is the Regional Supervisor, UST Section, Division of Waste Management, Department of Environment and Natural Resources, and that by authority duly given and as the act of the agency, the foregoing instrument was signed in its name by her as Regional Supervisor on behalf of the agency.

Witness my hand and official seal, this the 21st day of July, 2004



Alice H. Lunsford
Notary Public (signature)

(Official Seal)

My commission expires February 11, 2008.

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KATHERINE LEE PAYNE, REGISTER OF DEEDS
GUILFORD COUNTY
201 SOUTH EUGENE STREET
GREENSBORO, NC 27402

* * * * *

State of North Carolina, County of Guilford

The foregoing certificate of Leslie Robin Buck +
Alice H. Lunsford

A Notary (Notaries) Public is/are certified to be correct. This instrument and this certificate are duly registered at the date and time shown herein.

KATHERINE LEE PAYNE, REGISTER OF DEEDS

By: Sharon City
~~Deputy~~ - Assistant Register of Deeds

* * * * *

**This certification sheet is a vital part of your recorded document.
Please retain with original document and submit when re-recording.**