

Point Legend:	Symbol	Abbr	Description
•	EIP		Existing Iron Pin
○	IPS		Iron Pin Set (#5 Rebar)
○	BT		Calculated Point
○	Miscellaneous		
N/F			Now or Formerly
CGF			Combined Grid Factor
DPT-7			Former Soil Boring/Monitoring Well Location
—			Brownfields Property Line
—			Right of Way
—			Property Adjoiner

BEGINNING at a PK Nail marking the northeastern margin of the right-of-way of West Third Street and the southeastern margin of the right-of-way of South Poplar Street; thence with the southeastern margin of the right-of-way of South Poplar Street, North 50 degrees 33 minutes 43 seconds East a distance of 153.16 feet to a point marking the western corner of the property of Orr Properties (now or formerly) as described in Deed Book 4834, Page 101 of the Mecklenburg County Public Registry; thence with the southeastern boundary line of Orr Properties, South 42 degrees 07 minutes 32 seconds East a distance of 100.17 feet to a found PK Nail with washer; thence South 41 degrees 58 minutes 57 seconds East a distance of 68.70 feet to a found PK Nail with washer marking the southern corner of Orr Properties and a point in the northwestern boundary line of Packard Place Properties (now or formerly) as described in Deed Book 26154, Page 185 of the Mecklenburg County Public Registry; thence with the northwestern boundary line of Packard Place Properties South 50 degrees 52 minutes 13 seconds West a distance of 60.27 feet to a point at a building corner; thence South 42 degrees 16 minutes 26 seconds East a distance of 8.74 feet to a point on building face; thence South 48 degrees 49 minutes 52 seconds West a distance of 44.07 feet to a found PK Nail with washer marking the southwestern corner of Packard Place Properties and the northeastern corner of the property of Preferred Parking Services Inc (now or formerly) as described in Deed Book 26032, Page 844 of the Mecklenburg County Public Registry; thence with the northwestern boundary line of Preferred Parking Services Inc South 51 degrees 33 minutes 59 seconds West a distance of 49.04 feet to a found PK Nail with washer marking a point on the northeastern margin of the right-of-way of West Third Street; thence along the northeastern margin of the right-of-way of West Third Street North 42 degrees 06 minutes 46 seconds West a distance of 77.52 feet to a found PK Nail with washer having NC grid coordinates of North 542744.935 and East 1448454.782; thence North 41 degrees 56 minutes 06 seconds West a distance of 100.23 feet to the POINT OF BEGINNING; having an area of 0.613 Acres, more or less.

FILED FOR REGISTRATION
MAY 18 2016
9:56am
AT THE REGISTER OF DEEDS
MECKLENBURG COUNTY, N.C.

CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL MAP RECORDED IN BOOK 59 PAGE 318 DATE 5-18-16
J. DAVID GRANBERY, REGISTER OF DEEDS
By: *Keone A. Hitt* Deputy



Brownfields Notes
General Note:
The areas and types of contamination depicted herein are approximations derived from the best information at the time of filing. A listing of the technical reports used to prepare this plat are available in the Brownfields Agreement for this property.

Previous Environmental Assessment Information
Limited soil and groundwater sampling has been conducted at the Property. In 2010, Hart & Hickman PC (H&H) installed three soil borings in the area of the former gas station in the western portion of the Property and one soil boring in the area of the former auto repair facility in the northern portion of the Property. TPH as gasoline range organics (TPH-GRO) was detected above the DEQ Action Level of 10 mg/kg in one of the borings in the area of the former gas station.

Limited groundwater sampling also has been conducted at the Property. During its 2010 investigation, H&H converted two of the three soil borings in the area of the former gas station to temporary groundwater monitoring wells. Lead was detected in one of the wells in a concentration slightly exceeding the state standards.

Environmental information regarding the groundwater, soil, and vapor on the Property includes the following:
a. Groundwater contaminants in micrograms per liter (the equivalent of parts per billion), the standards for which are contained in Title 15A of the North Carolina Administrative Code, Subchapter 2L, Rule 0202 (April 1, 2013 version).
b. The Environmental Reports also identified low concentrations of petroleum impacts in the soil associated with former gas station. A land use restriction requiring a Soil Management Plan is paragraph c of the Land Use Restrictions on this plat.

Groundwater Contaminant	Sample Location	Date of Sampling	Concentration Exceeding Standard (µg/L)	Standard (µg/L)
Benzene	DPT-3A	11/2/2010	14.2	1
VWV CS-C8-Aliphatics	DPT-3A	11/2/2010	1,000	400
Lead	DPT-7	11/2/2010	22	15

µg/L = micrograms per liter or parts per billion

Note: DPT-3A is located outside the Property boundary. Refer to the vicinity map for location.
b. The Environmental Reports also identified low concentrations of petroleum impacts in the soil associated with former gas station. A land use restriction requiring a Soil Management Plan is paragraph c of the Land Use Restrictions on this plat.

Land Use Restrictions
NCGS 130A-310.3(a) requires recodification of a Notice of Brownfields Property ("Notice") that identifies any restrictions on the current and future use of a Brownfields Property that are necessary or useful to maintain the level of protection appropriate for the designated current or future use of the property and that are designated in a Brownfields Agreement pertaining to the property. This survey plat constitutes one of three exhibits to the Notice pertaining to the Brownfields Property depicted on this plat and recorded at the Mecklenburg County Register of Deeds' office. The exhibits to the Notice are: the Brownfields Agreement for the subject property, which is attached as Exhibit A to the Notice; a reduced version of this survey plat, which is attached as Exhibit B to the Notice; and a legal description for the subject property, which is attached as Exhibit C to the Notice. The following Land Use Restrictions, excepted verbatim from the Notice, are hereby imposed on the Brownfields Property and shall remain in force and effect until terminated by the Secretary of the North Carolina Department of Environmental Quality (or its successor in function), or higher designee, after the hazards have been eliminated, pursuant to NCGS § 130A-310.3(e):

- No use may be made of the Brownfields Property other than for high density residential, office, retail, and parking uses and, subject to DEQ's prior written approval, other commercial uses. The planned redevelopment will include a high-rise building to be used for commercial purposes at the street level and on lower floors and for residential purposes on higher floors with associated parking. For purposes of this restriction, the following definitions apply:
 - "High Density Residential" shall mean permanent dwellings where residential units are attached to each other with common walls, such as condominiums, apartments, group homes, dormitories or boarding houses, and in which any property outside the dwelling structures (other than attached patio/backyard space) is usable by all residents and not privately owned as part of a particular unit, and shall include related amenities, such as pools, clubhouses, courtyards, common areas, recreation areas and parking garages;
 - "Office" refers to the rendering of business or professional services;
 - "Retail" refers to the sale of goods, services, products, or merchandise directly to the consumer including the sale of food and beverage (including alcoholic beverage products) for consumption and without limitation, restaurants, bars, and nightclubs;
 - "Parking" refers to the temporary accommodation of motor vehicles in an area designed for same; and
 - "Commercial" refers to an enterprise carried on for profit or for a non-profit purpose by the owner, lessee or licensee.
- Groundwater at the Brownfields Property may not be used for any purpose without the prior written approval of DEQ.
- Soil disturbances must be handled in accordance with an approved Soil Management Plan including subsequent DEQ approved modifications to that plan. Notwithstanding the above, landscaping activities may be conducted on the Brownfields Property including without limitation mowing and pruning of above-ground vegetation, landscape plantings that do not exceed 18 inches in depth and, as well as emergency repair of underground infrastructure, provided that DEQ shall be given written notice (only by email) of any such emergency repair no later than the next business day, and that any related assessment and remedial measures required by DEQ shall be taken.
- No building with residential use on the ground floor may be constructed on the Brownfields Property and no residential building with residential on the ground level, defined as those depicted on the Plat consistent with this Notice, may be occupied unless and until DEQ determines in writing that:
 - it is demonstrated to DEQ's written satisfaction through a site-specific risk assessment that the building is protective of the building's users, public health and the environment from risk of vapor intrusion;
 - it is demonstrated, pursuant to a DEQ-approved plan, and subject to DEQ's approval, that the building would be or is sufficiently distant from the Brownfields Property's groundwater and/or soil contamination that the building's users, public health and the environment will be protected from risk from vapor intrusion related to said contamination; or
 - a plan for vapor mitigation measures, approved in writing by DEQ in advance and including a proposed performance assessment for demonstration of the system's protection of the building's users, public health and the environment from risk from vapor intrusion, is implemented to the satisfaction of a North Carolina licensed professional engineer licensed in North Carolina, as reflected by an implementation report, bearing the seal of said engineer that includes photographs and a description of the installation and performance assessment of the mitigation system.
- None of the contaminants known to be present in the environmental media at the Brownfields Property, as described in paragraphs 7 and 8 of Exhibit A hereto, may be used or stored at the Brownfields Property without the prior written approval of DEQ, except:
 - in de minimis amounts for cleaning and other routine housekeeping activities;
 - as component constituents of articles, equipment and materials used or sold in connection with use permitted under this Agreement, such as in consumer products, stainless steel or building materials; and/or
 - except as fuel or other fluids customarily used in vehicles, landscaping equipment, elevators or emergency generators.

- General Notes:**
- Deed Reference(s) - DB 29653 Pg 626
 - Tax Parcel ID - 07301505
 - Current Owner - GUGV Poplar Charlotte Property Owning LP
 - All bearings are NC Grid bearings.
 - All distances are shown horizontal.
 - Grid distance = Horizontal distance x Combined Grid Factor (0.99987745)
 - Area = ±0.613 Acres
 - Areas have been determined by coordinate computation.
 - Iron pins (#5 Rebar) or other monumentation (as shown) found or set at all property corners.
 - Zoning - LUMD (Uptown mixed use district)
 - This property is not located in a special Flood Hazard Area as determined by FEMA and the State of North Carolina. Reference Community Panel Number: 3710454-00K. Date: September 2, 2015
 - This survey was performed without benefit of a Title Commitment Report. LDI, Inc. does not claim that all matters of record which may affect the subject property are shown hereon.
 - The location of underground utilities shown on this map are approximate, based on information provided by others or by field location. Utility locations as shown hereon are intended for planning only. Actual location, size or depth of line should be verified with the individual utility company before construction.
 - The North Carolina Grid Coordinates shown on this map were derived by real-time kinematic GPS observations using Trimble RB Receivers and processed using North Carolina Geodetic Survey Virtual Reference System.
 - The areas and types of contamination depicted herein are approximations derived from the best available information at the time of filing. A listing of the technical reports used to prepare this plat are available in the Brownfields Agreement for this property.

Exhibit B to the Notice of Brownfields Property - Survey Plat

Third and Poplar

Parcel ID: 07301505
225 South Poplar Street
Charlotte, Mecklenburg County

Brownfields Project #18017-14-060

GUGV Poplar Charlotte Property Owning LP, a Delaware limited partnership (Current Owner and Prospective Developer)

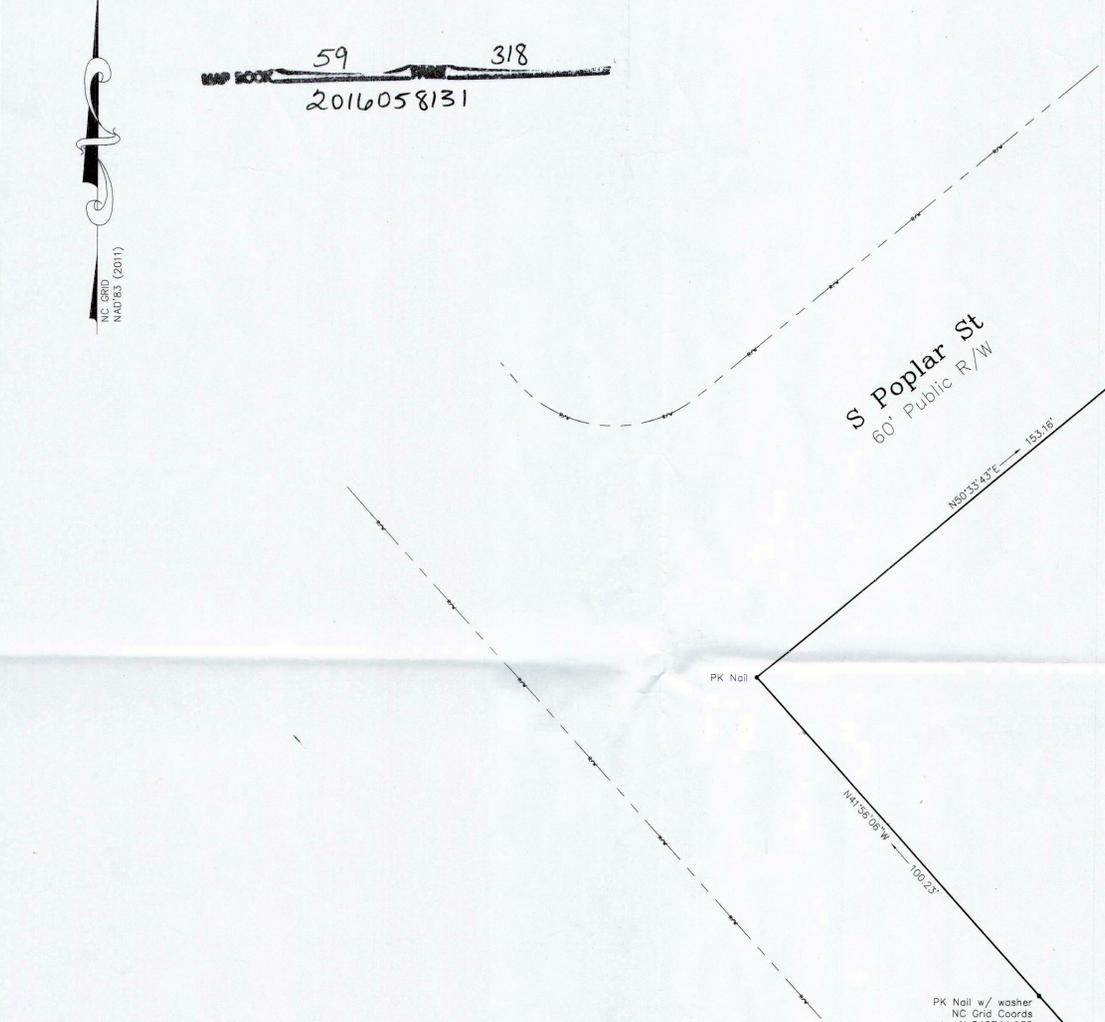
No.	Revision	By	Date
1			
2			
3			
4			

LDSI SURVEYING

508 West 5th Street
Suite 125
Charlotte, NC 28202
Phone: (704) 337-8329
Fax: (866) 661-1277
License No.: C-1925
www.ldsi-inc.com

Graphic Scale: 1"=20'

Date: 02/11/2016 Plot Date: 04/20/2016
Project Number: 4113102
Drawn By: JBE
Reviewed By:
Sealed By: Sheet 1 of 1



I, Seth F. Martin, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 59 Page 318 map); that the boundaries not surveyed are clearly indicated as drawn from information found in Book 59 Page 318 map; that the ratio of precision as calculated is 1:10,000+; that this plat was prepared in accordance with G.S. 47-30 as amended; that the survey is of an existing parcel or parcels of land and does not create a new street or change an existing street and that the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision, and that the Grid Tie and Grid Coordinates shown are derived from an actual GPS survey made under my supervision and that the following information was used to perform the survey:

- Class of survey: 'A'
- Positional accuracy: ±0.07 Feet
- Type of GPS field procedure: Real-time Kinematic
- Dates of survey: 09/02/2014
- Datum/Epoch: NAD 83 (Conus)
- Published/Fixed control used: CP-2
- Localized to on-site control
- Geoid model: GEOID12A
- Combined Grid Factor: 0.99987745
- Units: US Survey Feet

Witness my original signature, registration number and seal this 18th day of April 2016.

Seth F. Martin
Registration No.: L-4719, N.C.



THIS PLAT IS NOT SUBJECT TO THE PROVISIONS OF THE CITY OF CHARLOTTE OR MECKLENBURG COUNTY SUBDIVISION ORDINANCES AND DOES NOT REQUIRE THE APPROVAL OF THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION. HOWEVER, ANY FURTHER SUBDIVISION OF THIS PROPERTY SHALL BE SUBJECT TO THESE PROVISIONS.

CHARLOTTE-MECKLENBURG PLANNING COMMISSION
Michael E. Scott 5/13/2016
PLANNING COMMISSION STAFF DATE

County of Mecklenburg
I, *JOSHUA E. WEAVER*, Review Officer of Mecklenburg County, certify that the map, plat to which this certification is affixed meets all statutory requirements for recording. That this plat is not subject to the subdivision ordinance and does not require planning commission approval.

Joshua E. Weaver 5/13/2016
Review Officer Date

Approved for the purposes of N.C.G.S. § 130A-310.35
Michael E. Scott 4/23/16
Michael E. Scott, Acting Director
Division of Waste Management
State of North Carolina
County of Wake