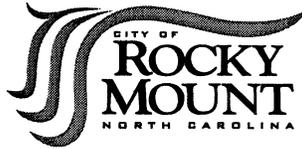


Public Works Administration



DEPARTMENT OF
PUBLIC WORKS

LCIDN33-G Permit City of Rocky Mount
LCID Landfill

May 17, 2005

Mr. Jim Barber
Permitting Branch Supervisor
Solid Waste Section
Division of Waste Management
1646 Mail Service Center
Raleigh, NC 27699

RE: City of Rocky Mount LCID Landfill, Permit #33-G

Dear Mr. Barber,

As required by your letter of April 25, 2005, enclosed please find a copy of the permit to operate recorded in Book 1431 Page 0775 on May 16, 2005.

Sincerely,

A handwritten signature in cursive script, appearing to read 'William B. Kerr'.

William "Brad" Kerr
Asst. Dir of Public Works/

Enclosure (1)



FILED
EDGECOMBE COUNTY NC
05/16/2005 9:24 AM
JUDY W. COLE
Register of Deeds

Humber J. Thompson
Register/Deputy/Asst.



North Carolina Department of Environment and Natural Resources

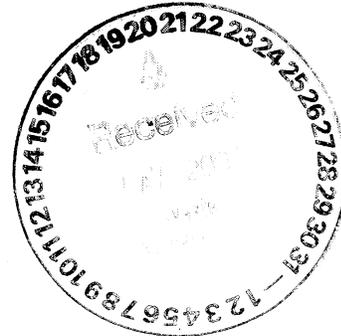
Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

April 25, 2005

Mr. William Kerr
Assistant Director of Public Works
City of Rocky Mount
P.O. Box 1180
Rocky Mount, North Carolina 27802



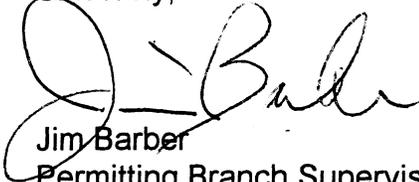
Subject: Permit to Operate: City of Rocky Mount Land Clearing and Inert Debris Landfill located in Number 7 Township, Rocky Mount, Edgecombe County, North Carolina; Deed Book: 1065 and Page: 103
Permit #: 33-G (Phase VII Section A-A)

Dear Mr. Kerr:

Mr. Kerr
Page 2
April 25, 2005

Please contact Mr. Ben Barnes, Waste Management Specialist, if you have any questions concerning this permit in our Raleigh Regional Office at (919) 571-4700. If you have any additional questions about your permit, please contact me at (919) 508-8495.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Barber". The signature is written in a cursive style with a large initial "J" and "B".

Jim Barber
Permitting Branch Supervisor
Solid Waste Section
Division of Waste Management

cc: John Crowder
Ben Barnes
RCO File: Permit # 33-G; City of Rocky Mount LCID LF; Edgecombe County

PERMIT NUMBER: 33-G
ORIGINAL DATE ISSUED(PTC): 04/15/03
ORIGINAL DATE ISSUED(PTO): 04/25/05

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
1646 MAIL SERVICE CENTER; RALEIGH, N.C. 27699-1646

SOLID WASTE PERMIT

CITY OF ROCKY MOUNT

is hereby issued a PERMIT TO OPERATE

PHASE VII (Section A-A) of a

LAND CLEARING AND INERT DEBRIS (LCID) LANDFILL

on property accessed from and located east of Old Battleboro Road, in Number 7 Township, Rocky Mount, Edgecombe County, North Carolina in accordance with Article 9, Chapter 130A of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The facility is located and described by the legal descriptions provided in deed recorded in Book: 1065 and Page: 0103 and in the permit application and the site drawings.


James C. Coffey
Section Chief
Solid Waste Section
Division of Waste Management

PERMIT NUMBER: **33-G**
 ORIGINAL DATE ISSUED(PTC): 04/15/03
 ORIGINAL DATE ISSUED(PTO): 04/25/05
 FACILITY NAME: CITY OF ROCKY MOUNT
 LAND CLEARING & INERT DEBRIS LF(phase VII)
 EDGEcombe COUNTY, N.C..

CONDITIONS OF PERMIT

1. This PERMIT TO OPERATE is issued for the operation of the proposed LAND CLEARING AND INERT DEBRIS LANDFILL (PHASE VII/Section A-A) in accordance with the approved plan sheet CE-3 and CE-6 dated 26 September 2002 (received as part of the permit submittal document dated 19 September 2002).
2. All earth disturbing activities will be conducted in accordance with all federal, state, and local requirements and consistent with the NPDES permits issued from the Division of Water Quality.
3. All sedimentation and erosion control activities shall be conducted in accordance with the Sedimentation Control Act 15A NCAC 4 and consistent with approved local programs delegated from Division of Land Resources - Land Quality Section.
4. This permit shall not be effective unless the certified copy is filed in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit, affixed with the Register's seal and the date, book, and page number of recording shall be returned to the Division of Solid Waste Management, within THIRTY (30) working days, from date received. Please send the recorded permit copy to:

SOLID WASTE SECTION
 225 GREEN STREET; SUITE 601
 FAYETTEVILLE, NORTH CAROLINA 28301
 ATTN: JIM BARBER

The following deeds shall be referenced and recorded against:

Book: 1065 and Pages: 0247 - 0250;

Book: 1071 and Pages: 0103 - 0106

The Permit to Construct, dated 15 April 2003, was recorded for that parcel of property identified as Book: 1065 and Pages: 0247 thru 0250 on 24 November 2003 in Book: 1383 and Pages: 1128 thru 1138.

5. When this property is sold, leased, conveyed, or transferred, the deed or other instrument of transfer shall contain in the deed description section in no smaller type than that used in the body of the deed or instrument a statement that the property has been used as a land clearing and inert debris landfill.

PERMIT NUMBER: 33-G
ORIGINAL DATE ISSUED(PTC): 04/15/03
ORIGINAL DATE ISSUED(PTO): 04/25/05
FACILITY NAME: CITY OF ROCKY MOUNT
LAND CLEARING & INERT DEBRIS LF(phase VII)
EDGEcombe COUNTY, N.C..

6. Waste shall be placed a minimum of four (4) feet above the seasonal high water table. Excavation at the site is not planned in accordance with the permit submittal document. Incidental grading can be performed to managed surface water at the site within PHASE VII.
7. This permit is not transferable.
8. The following requirements shall be met prior to and after the issuance of the **PERMIT TO OPERATE** and receiving solid waste at the site:
 - a. A site inspection and pre-operative meeting shall be conducted by a representative of the Solid Waste Section.
 - b. A sign shall be posted at the entrance as required by the NC Solid Waste Management Rules Operational Requirements, 15A NCAC 13B .0566 (16).
 - c. Survey stakes/posts shall be installed to delineate the limits of PHASE VII.
 - d. Certification letter by a register engineer or the project engineer that the required site work was done in accordance with the approved plans and that the separation of four feet to seasonal high groundwater, as shown on the approved plans is consistent with Solid Waste Section Rules for the remainder of Phase VII construction.
 - e. Site access controls shall be installed and operational.
 - f. As-built survey indicating the grades and elevations achieved shall be submitted with the certification letter.

ATTACHMENTS

1. Permit submittal document dated 19 September 2002, with original drawings dated 1 May 2002, received 30 September 2002. Included in this document are the following additional items;
 - a. Zoning consistency letter dated 13 August 2002 from Peter Varney;
 - b. Site plans, construction and operational
 - c. Letter dated 28 February 2003, from Paul Blount - Director of Water Resources, addressing the properties use as related to the Water Quality permit issued to City of Rocky Mount.
 - d. Letter dated 20 September 2002 from NC Dept. Of Cultural Resources.
 - e. Letter dated 18 February 2003 from DWQ addressing isolated wetlands.
2. Additional copies of permit submittal document and site plans, received 3 April 2003.
3. Letter dated 11 March 2005 addressing the construction of Phase VII from Brad Kerr.
4. As-built drawing, dated 10 March 2005, of Phase VII/Section A-A that represents 50% of the constructed Phase VII area that is ready for operation.

2700 Given: Daphne
City of RMT



North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

April 25, 2005

Mr. William Kerr
Assistant Director of Public Works
City of Rocky Mount
P.O. Box 1180
Rocky Mount, North Carolina 27802

Subject: Permit to Operate: City of Rocky Mount Land Clearing and Inert Debris Landfill located in Number 7 Township, Rocky Mount, Edgecombe County, North Carolina; Deed Book: 1065 and Page: 103
Permit #: 33-G (Phase VII Section A-A)

Dear Mr. Kerr:

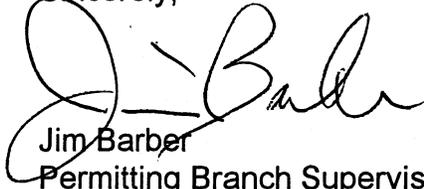
Enclosed please find a Solid Waste Permit and Conditions of the Solid Waste Permit for the above referenced Land Clearing & Inert Debris(LCID)landfill. This is a PERMIT TO OPERATE (PTO), issued in accordance with Section .0201(b) and consistent with Section .0203 and .0563(6)(c) of the Solid Waste Management Rules 15A NCAC 13B. Phase VII, Section A-A as shown on the as-built drawing dated 10 March 2005 is approved for operation. Based on the plans submitted, no excavation is proposed within the landfill footprint limits. Structural fill shall be placed to an elevation consistent with the fill cross-section shown on sheet CE-6 of the original, approved plans prepared by Appian. The issuance of this permit does not exempt an applicant from any local ordinances that may regulate a facility and the responsibility of compliance with any applicable ordinance lies with the permit holder.

Please note Condition No. 3, which states that this permit shall not be effective unless the certified copy is filed in the Register of Deeds office and the copy is returned to the Solid Waste Section, within thirty (30) working days, from date received, with the page and book number, date of recordation, and Register's seal. This PTC should be recorded and referenced against the deed recorded in Book: 1065 and Pages: 0103 - 0106. The PTC issued on 15 April 2003 was recorded on 24 November 2003 in Deed Book: 1383 Pages: 1128 thru 1138, based upon the information on the faxed copy of the recorded permit.

Mr. Kerr
Page 2
April 25, 2005

Please contact Mr. Ben Barnes, Waste Management Specialist, if you have any questions concerning this permit in our Raleigh Regional Office at (919) 571-4700. If you have any additional questions about your permit, please contact me at (919) 508-8495.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Barber". The signature is fluid and cursive, with the first name "Jim" and last name "Barber" clearly distinguishable.

Jim Barber
Permitting Branch Supervisor
Solid Waste Section
Division of Waste Management

cc: John Crowder
Ben Barnes

✓ RCO File: Permit # 33-G; City of Rocky Mount LCID LF; Edgecombe County

PERMIT NUMBER: 33-G
ORIGINAL DATE ISSUED(PTC): 04/15/03
ORIGINAL DATE ISSUED(PTO): 04/25/05

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
1646 MAIL SERVICE CENTER; RALEIGH, N.C. 27699-1646

SOLID WASTE PERMIT

CITY OF ROCKY MOUNT

is hereby issued a PERMIT TO OPERATE

PHASE VII (Section A-A) of a

LAND CLEARING AND INERT DEBRIS (LCID) LANDFILL

on property accessed from and located east of Old Battleboro Road, in Number 7 Township, Rocky Mount, Edgecombe County, North Carolina in accordance with Article 9, Chapter 130A of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The facility is located and described by the legal descriptions provided in deed recorded in Book: 1065 and Page: 0103 and in the permit application and the site drawings.


James C. Coffey
Section Chief
Solid Waste Section
Division of Waste Management

PERMIT NUMBER: 33-G
ORIGINAL DATE ISSUED(PTC): 04/15/03
ORIGINAL DATE ISSUED(PTO): 04/25/05
FACILITY NAME: CITY OF ROCKY MOUNT
LAND CLEARING & INERT DEBRIS LF(phase VII)
EDGEcombe COUNTY, N.C..

CONDITIONS OF PERMIT

1. This PERMIT TO OPERATE is issued for the operation of the proposed LAND CLEARING AND INERT DEBRIS LANDFILL (PHASE VII/Section A-A) in accordance with the approved plan sheet CE-3 and CE-6 dated 26 September 2002 (received as part of the permit submittal document dated 19 September 2002).
2. All earth disturbing activities will be conducted in accordance with all federal, state, and local requirements and consistent with the NPDES permits issued from the Division of Water Quality.
3. All sedimentation and erosion control activities shall be conducted in accordance with the Sedimentation Control Act 15A NCAC 4 and consistent with approved local programs delegated from Division of Land Resources - Land Quality Section.
4. This permit shall not be effective unless the certified copy is filed in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit, affixed with the Register's seal and the date, book, and page number of recording shall be returned to the Division of Solid Waste Management, within THIRTY (30) working days, from date received. Please send the recorded permit copy to:

SOLID WASTE SECTION
225 GREEN STREET; SUITE 601
FAYETTEVILLE, NORTH CAROLINA 28301
ATTN: JIM BARBER

The following deeds shall be referenced and recorded against:

Book: 1065 and Pages: 0247 - 0250;

Book: 1071 and Pages: 0103 - 0106

The Permit to Construct, dated 15 April 2003, was recorded for that parcel of property identified as Book: 1065 and Pages: 0247 thru 0250 on 24 November 2003 in Book: 1383 and Pages: 1128 thru 1138.

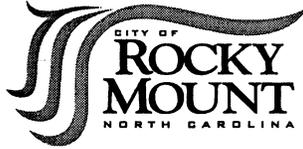
5. When this property is sold, leased, conveyed, or transferred, the deed or other instrument of transfer shall contain in the deed description section in no smaller type than that used in the body of the deed or instrument a statement that the property has been used as a land clearing and inert debris landfill.

PERMIT NUMBER: **33-G**
ORIGINAL DATE ISSUED(PTC): 04/15/03
ORIGINAL DATE ISSUED(PTO): 04/25/05
FACILITY NAME: CITY OF ROCKY MOUNT
LAND CLEARING & INERT DEBRIS LF(phase VII)
EDGEcombe COUNTY, N.C..

6. Waste shall be placed a minimum of four (4) feet above the seasonal high water table. Excavation at the site is not planned in accordance with the permit submittal document. Incidental grading can be performed to managed surface water at the site within PHASE VII.
7. This permit is not transferable.
8. The following requirements shall be met prior to and after the issuance of the **PERMIT TO OPERATE** and receiving solid waste at the site:
 - a. A site inspection and pre-operative meeting shall be conducted by a representative of the Solid Waste Section.
 - b. A sign shall be posted at the entrance as required by the NC Solid Waste Management Rules Operational Requirements, 15A NCAC 13B .0566 (16).
 - c. Survey stakes/posts shall be installed to delineate the limits of PHASE VII.
 - d. Certification letter by a register engineer or the project engineer that the required site work was done in accordance with the approved plans and that the separation of four feet to seasonal high groundwater, as shown on the approved plans is consistent with Solid Waste Section Rules for the remainder of Phase VII construction.
 - e. Site access controls shall be installed and operational.
 - f. As-built survey indicating the grades and elevations achieved shall be submitted with the certification letter.

ATTACHMENTS

1. Permit submittal document dated 19 September 2002, with original drawings dated 1 May 2002, received 30 September 2002. Included in this document are the following additional items;
 - a. Zoning consistency letter dated 13 August 2002 from Peter Varney;
 - b. Site plans, construction and operational
 - c. Letter dated 28 February 2003, from Paul Blount - Director of Water Resources, addressing the properties use as related to the Water Quality permit issued to City of Rocky Mount.
 - d. Letter dated 20 September 2002 from NC Dept. Of Cultural Resources.
 - e. Letter dated 18 February 2003 from DWQ addressing isolated wetlands.
2. Additional copies of permit submittal document and site plans, received 3 April 2003.
3. Letter dated 11 March 2005 addressing the construction of Phase VII from Brad Kerr.
4. As-built drawing, dated 10 March 2005, of Phase VII/Section A-A that represents 50% of the constructed Phase VII area that is ready for operation.



March 11, 2005

Mr. Jim Barber
Permitting Branch Supervisor
Solid Waste Section
Division of Waste Management
1646 Mail Service Center
Raleigh, NC 27699

RE: City of Rocky Mount LCID Landfill, Permit #33-G

Dear Mr. Barber,

This letter is to provide project certification in accordance with the requirements of item 8 of LCID Permit #33-G and to request issuance of the Permit to Operate. As you will note from the enclosed as-built survey, the all-weather access road has been installed and an initial 3-foot bench of fill dirt has been placed over 50% of Phase VII. This initial fill will serve as a staging area for all land clearing debris and other inert debris. Only Beneficial fill will be placed in areas outside the 3-foot bench until the surface elevation is raised to the beneficial fill elevation indicated on the plans.

The entrance sign and steel survey post have been installed in accordance with items 8b and 8c. Site access is controlled by means of a locked gate and a preoperative meeting was held with Mr. Ben Barnes on February 21, 2005.

Having fulfilled all conditions outlined in item 8 of the permit, we are anxious to place this site in operation and look forward to issuance of the requested Permit to Operate.

Sincerely,

A handwritten signature in black ink, appearing to read 'William Kerr', is written over a circular stamp.

William "Brad" Kerr
Asst. Dir of Public Works/

Enclosure (1)



Subject: Re: LCID Permit Number 33-G

From: Jim Barber <Jim.Barber@ncmail.net>

Date: Thu, 10 Mar 2005 17:20:08 -0500

To: "Kerr, Brad" <KerrB@ci.rocky-mount.nc.us>, Ben Barnes <Ben.Barnes@ncmail.net>, JOHN CROWDER <JOHN.CROWDER@ncmail.net>

Brad;

Based on the information received, the City of Rocky Mount can utilize brick and concrete in the areas shown on the design drawings for the management of inert materials. Note, that the inert materials received shall be non-painted to be considered inert. Once the as-built drawings and hard copy of the certification letter is received by the Solid Waste Section, a Permit to Operate will be issued at that time.

If you have any questions, please give me a call at 919-733-4996 x255 or send me a email.

jim barber

permitting branch supervisor

solid waste section

division of waste management

Kerr, Brad wrote:

Jim As discussed, we had a preoperative meeting with Ben Barnes on February 21, 2005. The project is ready to operate except for the certification letter (draft is attached) and survey which is forthcoming.

Due to some ongoing work, we would like permission to start hauling beneficial fill (brick and concrete) while we await issuance of the Permit to Operate. There will be no land clearing debris hauled to the site until the permit to operate has been issued

<<Certification Letter.doc>>

Brad Kerr

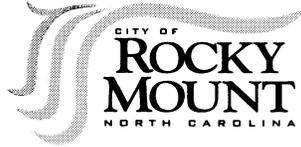
Asst. Public Works Director/Stormwater Manager

City of Rocky Mount

Phone: 252-972-1520

FAX: 252-972-1173

Public Works Administration



DEPARTMENT OF
PUBLIC WORKS

March 9, 2005

Mr. Jim Barber
Permitting Branch Supervisor
Solid Waste Section
Division of Waste Management
1646 Mail Service Center
Raleigh, NC 27699

RE: City of Rocky Mount LCID Landfill, Permit #33-G

Dear Mr. Barber,

This letter is to provide project certification in accordance with the requirements of item 8 of LCID Permit #33-G and to request issuance of the Permit to Operate. As you will note from the enclosed as-built survey, the all-weather access road has been installed and an initial 3-foot bench of fill dirt has been placed over 50% of Phase VII. This initial fill will serve as a staging area for all land clearing debris and other inert debris. Only Beneficial fill will be placed in areas outside the 3-foot bench until the surface elevation is raised to the beneficial fill elevation indicated on the plans.

The entrance sign and steel survey post have been installed in accordance with items 8b and 8c. Site access is controlled by means of a locked gate and a preoperative meeting was held with Mr. Ben Barnes on February 21, 2005.

Having fulfilled all conditions outlined in item 8 of the permit, we are anxious to place this site in operation and look forward to issuance of the requested Permit to Operate.

Sincerely,

William "Brad" Kerr
Asst. Dir of Public Works/

Enclosure (1)

BOOK 1383 PAGE 1129

PERMIT NUMBER: 33-G
ORIGINAL DATE ISSUED(PTC): 04/15/03

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
1646 MAIL SERVICE CENTER; RALEIGH, N.C. 27699-1646

SOLID WASTE PERMIT

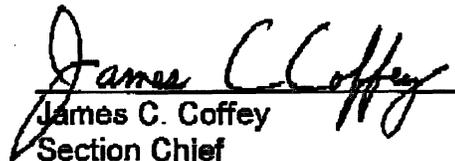
CITY OF ROCKY MOUNT

is hereby issued a PERMIT TO CONSTRUCT

PHASE VII of a

LAND CLEARING AND INERT DEBRIS (LCID) LANDFILL

on property accessed from and located east of Old Battleboro Road, in Number 7 Township, Rocky Mount, Edgecombe County, North Carolina in accordance with Article 9, Chapter 130A of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The facility is located and described by the legal descriptions provided in deed recorded in Book: 1071 and Page: 0247 and in the permit application and the site drawings.



James C. Coffey
Section Chief
Solid Waste Section
Division of Waste Management

PERMIT NUMBER: 33-G
ORIGINAL DATE ISSUED(PTC): 04/15/03
FACILITY NAME: CITY OF ROCKY MOUNT
 LAND CLEARING & INERT DEBRIS LF(phase VII)
 EDGEcombe COUNTY, N.C..

CONDITIONS OF PERMIT

1. This PERMIT TO CONSTRUCT is issued for the construction of the proposed LAND CLEARING AND INERT DEBRIS LANDFILL (PHASE VII) in accordance with the approved plan sheet CE-3 and CE-6 dated 26 September 2002 (received as part of the permit submittal document dated 19 September 2002). This permit is for the construction of PHASE VII, as shown on sheet CE-3, along with any infrastructure that is required by the rules; i.e. gate, sign, access road, and incidental grading of the PHASE VII to allow for surface water management .
2. All earth disturbing activities will be conducted in accordance with all federal, state, and local requirements and consistent with the NPDES permits issued from the Division of Water Quality.
3. All sedimentation and erosion control activities shall be conducted in accordance with the Sedimentation Control Act 15A NCAC 4 and consistent with approved local programs delegated from Division of Land Resources - Land Quality Section.
4. This permit shall not be effective unless the certified copy is filed in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit, affixed with the Register's seal and the date, book, and page number of recording shall be returned to the Division of Solid Waste Management, within THIRTY (30) working days, from date received. Please send the recorded permit copy to:

SOLID WASTE SECTION
 225 GREEN STREET; SUITE 601
 FAYETTEVILLE, NORTH CAROLINA 28301
 ATTN: JIM BARBER

The following deeds shall be referenced and recorded against:
 Book: 1065 and Pages: 0247 - 0250;
 Book: 1071 and Pages: 0103 - 0106

5. When this property is sold, leased, conveyed, or transferred, the deed or other instrument of transfer shall contain in the deed description section in no smaller type than that used in the body of the deed or instrument a statement that the property has been used as a land clearing and inert debris landfill.

PERMIT NUMBER: 33-G
ORIGINAL DATE ISSUED(PTC): 04/15/03
FACILITY NAME: CITY OF ROCKY MOUNT
 LAND CLEARING & INERT DEBRIS LF(phase VII)
 EDGEcombe COUNTY, N.C..

6. Waste shall be placed a minimum of four (4) feet above the seasonal high water table. Excavation at the site is not planned in accordance with the permit submittal document. Incidental grading can be performed to managed surface water at the site within PHASE VII.
7. This permit is not transferable.
8. The following requirements shall be met prior to the issuance of the PERMIT TO OPERATE and receiving solid waste at the site:
 - a. A site inspection and pre-operative meeting shall be conducted by a representative of the Solid Waste Section.
 - b. A sign shall be posted at the entrance as required by the NC Solid Waste Management Rules Operational Requirements, 15A NCAC 13B .0566 (16).
 - c. Survey stakes/posts shall be installed to delineate the limits of PHASE VII.
 - d. Certification letter by a register engineer or the project engineer that the required site work was done in accordance with the approved plans and that the separation of four feet to seasonal high groundwater, as shown on the approved plans is consistent with Solid Waste Section Rules.
 - e. Site access controls shall be installed and operational.
 - f. As-built survey indicating the grades and elevations achieved shall be submitted with the certification letter.

3871-18-4172-00

3872-11-6749-00

PREPARED BY:
W. KELLY ELDER, JR., P. A.
BURLINGTON, NC 27215

EXCISE TAX: \$163.00

NORTH CAROLINA
EDGECOMBE COUNTY

WARRANTY DEED

THIS WARRANTY DEED made this 6th day of June, 1991, by and between BRUCE R. CADE and wife, LESLIE C. CADE, and ROBERT E. CADE, single, an incompetent adult acting through his general guardian, BRUCE R. CADE, pursuant to authority granted in that certain Order For Private Sale Of Real Property filed in the action entitled IN THE MATTER OF THE ESTATE OF ROBERT EARL CADE, NCM, of record in the Office of the Clerk of Superior Court of Edgecombe County, 91 SP 49, all of Alamance County, North Carolina, herein collectively called "Grantor", and the CITY OF ROCKY MOUNT, a municipal corporation with a mailing address of P. O. Box 1180, Rocky Mount, North Carolina 27802-1180, herein called "Grantee". The designations Grantor and Grantee as used herein shall include such parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by the context.

WITNESSETH:

WHEREAS, Robert E. Cade, one of the Grantors, is the owner of a one-half (1/2) undivided interest in the real property described below; and,

WHEREAS, Bruce R. Cade, one of the Grantors, is the owner of the other one-half (1/2) undivided interest in such real property; and

WHEREAS, Robert E. Cade is an incompetent adult and Bruce R. Cade is his duly appointed general guardian; having been so appointed on August 18, 1981, in Alamance County, North Carolina; and,

WHEREAS, Bruce R. Cade, as general guardian for Robert E. Cade, was authorized to sell at private sale Robert E. Cade's one-half (1/2) undivided interest in such real property pursuant to an Order For Private Sale Of Real Property entered on the 22d day of May, 1991, by the Honorable Carol F. White, Clerk of Superior Court of Edgecombe County, and approved by the Honorable Frank R. Brown, Superior Court Judge, in the action entitled In The Matter Of The Estate Of Robert Earl Cade, NCM, 91 SP 49; and

WHEREAS, a Report of Sale was filed on May 23, 1991, in the Office of the Clerk of Superior Court of Edgecombe County, North Carolina, reporting the sale of Robert E. Cade's one-half (1/2) undivided interest in such real property to the City of Rocky

Real Estate Excise Tax 163.00



STATE OF NORTH CAROLINA JUN-591

EDGECOMBE COUNTY

Mount for the sum of Eighty-One Thousand Five Hundred Dollars (\$81,500.00); and,

WHEREAS, more than ten (10) days have elapsed since the filing of such Report Of Sale, and no advance or upset bids have been received; and,

WHEREAS, the Honorable Carol F. White, Clerk of Superior Court of Edgecombe County, entered an Order Of Confirmation In Private Sale Of Real Property on June 6, 1991, and such Order was approved by the Honorable Frank R. Brown, Superior Court Judge, on the same day.

NOW THEREFORE, in consideration of the sum of Eighty-One Thousand Five Hundred Dollars (\$81,500.00) paid by the Grantee to the Grantor, the receipt of which is hereby acknowledged, Grantor has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in No. 7 Township, Edgecombe County, North Carolina, and more particularly described as follows:

SEE "EXHIBIT A" WHICH IS INCORPORATED HEREIN BY REFERENCE FOR DESCRIPTION OF SUBJECT PROPERTY.

The property described above was acquired by Grantor by Will recorded in Estate 84-E-141, Edgecombe County, North Carolina.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions stated below. Title to the above described property is subject to the following exceptions:

This conveyance is subject to recorded easements, rights of way and restrictions, if any, appearing in the Edgecombe County Registry, and 1991 ad valorem taxes which are to be prorated between Grantor and Grantee on a calendar year basis as of the date of this conveyance.

IN WITNESS WHEREOF, the Grantor has hereunto set his or her hand and adopted as his or her seal the word "SEAL" appearing beside his or her signature, the day and year first above written.

Bruce R. Cade (SEAL)
BRUCE R. CADE

Leslie C. Cade (SEAL)
LESLIE C. CADE

ROBERT E. CADE

BY: Bruce R. Cade, adm. (SEAL)
BRUCE R. CADE, General
Guardian for Robert E. Cade,
NCM

NORTH CAROLINA, NASH COUNTY

I, a Notary Public of the County and State aforesaid, certify that BRUCE R. CADE and wife, LESLIE C. CADE, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 6th day of June, 1991.

My commission expires:
4-27-95

Joyce G. Williams
NOTARY PUBLIC

JOYCE G. WILLIAMS
Notary Public
Nash County, N.C.

NORTH CAROLINA, NASH COUNTY

I, a Notary Public of the County and State aforesaid, certify that BRUCE R. CADE, general guardian for Robert E. Cade, NCM, personally came before me this day and being by me duly sworn says that he executed the foregoing Warranty Deed for and in behalf of the said Robert E. Cade and that his authority to execute the foregoing Warranty Deed is contained in that certain Order For Private Sale Of Real Property of record in File No. 91 SP 49 in the office of the Clerk of Superior Court of Edgecombe County, and that this instrument was executed under and by virtue of the authority given by said Order; that the said BRUCE R. CADE acknowledged the due execution of the foregoing Warranty Deed for and on behalf of the said Robert E. Cade.

Witness my hand and official stamp or seal, this 6th day of June, 1991.

My commission expires:
4-27-95

Joyce G. Williams
NOTARY PUBLIC

JOYCE G. WILLIAMS
Notary Public
Nash County, N.C.

m/cade

EXHIBIT A
ATTACHED TO THAT CERTAIN WARRANTY DEED FROM BRUCE R. CADE, ET AL, TO THE CITY OF ROCKY MOUNT, DATED JUNE 6, 1991.

That certain tract or parcel of land located in No. 7 Township, Edgecombe County, North Carolina, and described as BEGINNING at a stake in the Battle heirs' line J. D. Smith's corner; thence along the Battle heirs' line N 6-44 E 5712 feet, more or less, to an iron stake in old road, corner of Battle heirs' land and corner of Tract No. 2 of the James B. Battle Farm; thence N 37-10 E 1836.5 feet along the line of Tracts Nos. 2 and 3 of the James B. Battle Farm to an iron stake in the Odom line; thence along the Odom line S 83-17 E 766 feet to an iron stake, the Odom corner; thence along J. M. Daughtry's line S 6-31 W 7166 feet, more or less, to a stake, J. D. Smith's corner in J. M. Daughtry's line; thence along J. D. Smith's line N. 87-06 W 1750 feet, more or less, to the beginning, containing 270.8 acres, more or less, and being the identical property described in deeds to R. B. McAfee recorded in Book 371, page 91, and Book 409, page 33, Edgecombe County Public Registry, and the said R. B. McAfee died about 1954 leaving surviving him his widow Ethel B. McAfee, who died in 1967, and a daughter, Sarah Bruce McAfee Cade, who died testate in Alamance County, North Carolina, on April 10, 1967, and by her Last Will and Testament devised said property to her sons, Bruce Reed Cade and Robert Earl Cade, and a copy of said Will and its probate is recorded in Estate 84-E-141, in the Office of the Clerk of Superior Court of Edgecombe County.

NORTH CAROLINA, EDGECOMBE COUNTY

The foregoing certificate(s) of W. W. Williams

A Notary Public, is (are) certified to be correct.

This instrument was presented for registration and recorded in this office in Book 409 Page 3

This 6 day of June 1991

at 2:30 o'clock P. M.

Gladys Shelton Pitt

Register of Deeds

By B. J. [Signature] Deputy

BOOK 1383 PAGE 1136

217 303 0028 P. 02/03,

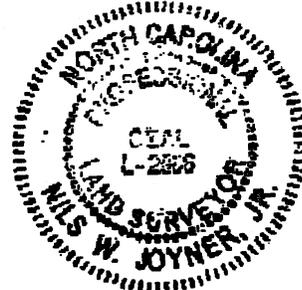
**LEGAL DESCRIPTION FOR PROPERTY OF
CITY OF ROCKY MOUNT**

S. R. 1400

OCTOBER 04, 2002

Beginning at a point on the eastern right of way line of SR 1400 (Springfield Road), the northwestern most corner of William T. Phillips (Book 736, Page 254 Edgecombe County Registry); thence along said eastern right-of-way N 04° 00' 22" E 54.85 feet to a point of curvature, thence along said curve having a radius of 710 feet, a chord bearing and distance of N. 04° 15' 48" E 6.37 feet to a point in the southern line for Evans Tree Farm, Inc. (Book 924, Page 365); thence along the southern and eastern line for Evans Tree Farm, Inc. the following two courses and distances, N 82° 32' 44" E 1242.23 feet to a point; thence N 04° 31' 27" W 733.15 feet to a point in a southern line for Lucy Ann Williams (Book 896, Page 839); thence along a southern and eastern line for Lucy Ann Williams the following two courses and distances, S 88° 31' 02" E 1475.86 feet to a point, thence N 01° 25' 10" E 150.00 feet to a point in a eastern line for George Williams (Book 505, Page 359); thence along a eastern line for George Williams, N 01° 25' 10" E 631.09 feet to a point in a eastern line for James B. Battle Farm (Map Book 4, Page 57); thence along the eastern line for James B. Battle Farm, N 32° 13' 55" E 1836.13 feet to a existing axle in the southern line for Jane Morrow; thence along the southern and eastern line for Jane Morrow the following two courses and distances, S 88° 33' 17" E 768.91 feet to a point, thence S 01° 18' 42" W 16.00 feet to a point in a western line for City of Rocky Mount (Book 1065, Page 205); thence along the western line for City of Rocky Mount, S 01° 18' 42" W 4278.83 feet to a point in a western line for Phillips Holding Company (Book 1026, Page 472); thence along the western line for Phillips Holding Company, S 01° 12' 54" W 2837.95 feet to a point in a northern line for Welford Lee Winstead and wife Loretta J. Winstead (Book 660, Page 588); thence along the northern line for Welford Lee Winstead and wife Loretta J. Winstead, S 88° 49' 04" W 1726.41 feet to a point in a eastern line for Barnhill Contracting Company (Book 889, Page 272); thence along the eastern and northern line for Barnhill Contracting Company the following two course and distances, N 01° 25' 10" E 1265.23 feet to a point; thence N 84° 35' 41" W 808.45 feet to a point, corner of Barnhill Contracting Company and Avalon Missionary Baptist Church (Book 660, Page 61); thence along a northern line for Avalon Missionary Baptist Church, N. 84° 50' 36" W 944.56 feet to a point, on the eastern line of Evans Tree Farm, Inc. (Book 924, Page 365); thence along a new eastern line for Evans Tree Farm, Inc., N 05° 09' 24" E 431.74 feet to a point, thence along the northern line for Evans Tree Farm, Inc., N 84° 50' 36" W 388.48 feet to a point, corner for Evans Tree Farm, Inc. and Margaret Cooley (Book 600, Page 604); thence along the eastern lines property of Margaret Cooley, Margaret C. Watson and Victor C. Moser (Book 979, Page 513) and property of James T. Nelms and wife, Eunice A. Nelms (Book 1059, Page 278), N 05° 05' 32" E 1049.21 feet to a point, corner with Nelms in a southern line of William T. Phillips (Book 736, Page 254); thence along the southern line of William T. Phillips, S 62° 30' 13" E 903.72 feet to a point; thence along an eastern line of William T. Phillips, N 04° 31' 27" W 1584.67 feet to an existing iron pipe; thence along a northern line of William T. Phillips, S 82° 32' 44" W 1251.35 feet to the point of beginning containing 395.91 acres and being that property recorded in Plat Cabinet 3

Slide 40B, Edgecombe County Registry (Also being that property described in Deed Book 1071 Page 247) and that property described in Deed Book 1065 Page 103, Number 7 Township, Edgecombe County Registry. As shown on plat entitled "Recombination Plat Inert Debris Site For City of Rocky Mount" by Joyner, Keeny and Associates dated September 10, 2002.



Nils W. Joyner Jr
10-07-02

ATTACHMENTS

1. **Permit submittal document dated 19 September 2002, with original drawings dated 1 May 2002, received 30 September 2002. Included in this document are the following additional items;**
 - a. **Zoning consistency letter dated 13 August 2002 from Peter Varney;**
 - b. **Site plans, construction and operational**
 - c. **Letter dated 28 February 2003, from Paul Blount - Director of Water Resources, addressing the properties use as related to the Water Quality permit issued to City of Rocky Mount.**
 - d. **Letter dated 20 September 2002 from NC Dept. Of Cultural Resources.**
 - e. **Letter dated 18 February 2003 from DWQ addressing isolated wetlands.**
2. **Additional copies of permit submittal documents and site plans, received 3 April 2003.**

*given Gayle
City of Mount*

542.00

North Carolina
Department of Environment and Natural Resources

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary
Dexter R. Matthews, Director



April 15, 2003

Mr. Doug Roberson
Director of Public Works
City of Rocky Mount
P.O. Box 1180
Rocky Mount, North Carolina 27802

**Subject: Permit to Construct: City of Rocky Mount Land Clearing and Inert Debris Landfill located in Number 7 Township, Rocky Mount, Edgecombe County, North Carolina; Deed Book: 1071 and Page: 0247
Permit #: 33-G**

Dear Mr. Roberson:

Enclosed please find a Solid Waste Permit, Conditions of the Solid Waste Permit, and a Certified Copy of the Solid Waste Permit for the above referenced Land Clearing & Inert Debris(LCID)landfill. This is a PERMIT TO CONSTRUCT(PTC), issued in accordance with Section .0201(b) and consistent with Section .0203 and .0563(6)(c) of the Solid Waste Management Rules 15A NCAC 13B. Phase VII is approved for construction as shown on sheets CE-3 and CE-6. Based on the plans submitted, no excavation is proposed within the landfill footprint limits. Structural fill shall be placed to an elevation consistent with the fill cross-section shown on sheet CE-6. The issuance of this permit does not exempt an applicant from any local ordinances that may regulate a facility and the responsibility of compliance with any applicable ordinance lies with the permit holder.

Please note Condition No. 3, which states that this permit shall not be effective unless the certified copy is filed in the Register of Deeds office and the copy is returned to the Solid Waste Section, within thirty (30) working days, from date received, with the page and book number, date of recordation, and Register's seal. This PTC should be recorded and referenced against the deed recorded in Book: 1071 and Pages: 0247 - 0250 and against the warranty deed in Book: 1065 and Pages: 0103 - 0106.

Also note Condition No. 9, which requires that a pre-operative meeting be held and that outlines the pre-operative conditions that need to be met prior to operation of Phase VII.

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone: 919-733-0692 \ FAX: 919-733-4810 \ Internet: www.enr.state.nc.us/

Mr. Roberson
Page 2
April 15, 2003

Please contact Mr. Ben Barnes, Waste Management Specialist, when you are ready to schedule this meeting. Mr. Barnes can be reached in our Raleigh Regional Office at (919) 571-4700. If you have questions about your permit, please contact me at (919) 733-0692 Ext: 255.

Sincerely,



Jim Barber
Permitting Branch Supervisor
Solid Waste Section
Division of Waste Management

cc: Mark Fry
Ben Barnes
RCO File: Permit # 33-G; City of Rocky Mount LCID LF; Edgecombe County

PERMIT NUMBER: 33-G
ORIGINAL DATE ISSUED(PTC): 04/15/03

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
1646 MAIL SERVICE CENTER; RALEIGH, N.C. 27699-1646

SOLID WASTE PERMIT

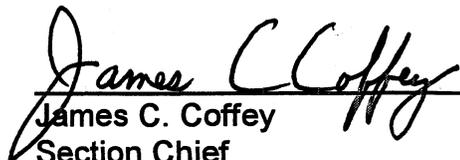
CITY OF ROCKY MOUNT

is hereby issued a PERMIT TO CONSTRUCT

PHASE VII of a

LAND CLEARING AND INERT DEBRIS (LCID) LANDFILL

on property accessed from and located east of Old Battleboro Road, in Number 7 Township, Rocky Mount, Edgecombe County, North Carolina in accordance with Article 9, Chapter 130A of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The facility is located and described by the legal descriptions provided in deed recorded in Book: 1071 and Page: 0247 and in the permit application and the site drawings.


James C. Coffey
Section Chief
Solid Waste Section
Division of Waste Management

PERMIT NUMBER: 33-G
ORIGINAL DATE ISSUED(PTC): 04/15/03
FACILITY NAME: CITY OF ROCKY MOUNT
LAND CLEARING & INERT DEBRIS LF(phase VII)
EDGEcombe COUNTY, N.C..

CONDITIONS OF PERMIT

1. This PERMIT TO CONSTRUCT is issued for the construction of the proposed LAND CLEARING AND INERT DEBRIS LANDFILL (PHASE VII) in accordance with the approved plan sheet CE-3 and CE-6 dated 26 September 2002 (received as part of the permit submittal document dated 19 September 2002). This permit is for the construction of PHASE VII, as shown on sheet CE-3, along with any infrastructure that is required by the rules; i.e. gate, sign, access road, and incidental grading of the PHASE VII to allow for surface water management .
2. All earth disturbing activities will be conducted in accordance with all federal, state, and local requirements and consistent with the NPDES permits issued from the Division of Water Quality.
3. All sedimentation and erosion control activities shall be conducted in accordance with the Sedimentation Control Act 15A NCAC 4 and consistent with approved local programs delegated from Division of Land Resources - Land Quality Section.
4. This permit shall not be effective unless the certified copy is filed in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit, affixed with the Register's seal and the date, book, and page number of recording shall be returned to the Division of Solid Waste Management, within THIRTY (30) working days, from date received. Please send the recorded permit copy to:

SOLID WASTE SECTION
225 GREEN STREET; SUITE 601
FAYETTEVILLE, NORTH CAROLINA 28301
ATTN: JIM BARBER

The following deeds shall be referenced and recorded against:

Book: 1065 and Pages: 0247 - 0250;

Book: 1071 and Pages: 0103 - 0106

5. When this property is sold, leased, conveyed, or transferred, the deed or other instrument of transfer shall contain in the deed description section in no smaller type than that used in the body of the deed or instrument a statement that the property has been used as a land clearing and inert debris landfill.

PERMIT NUMBER: 33-G
ORIGINAL DATE ISSUED(PTC): 04/15/03
FACILITY NAME: CITY OF ROCKY MOUNT
LAND CLEARING & INERT DEBRIS LF(phase VII)
EDGEcombe COUNTY, N.C..

6. Waste shall be placed a minimum of four (4) feet above the seasonal high water table. Excavation at the site is not planned in accordance with the permit submittal document. Incidental grading can be performed to managed surface water at the site within PHASE VII.
7. This permit is not transferable.
8. The following requirements shall be met prior to the issuance of the **PERMIT TO OPERATE** and receiving solid waste at the site:
 - a. A site inspection and pre-operative meeting shall be conducted by a representative of the Solid Waste Section.
 - b. A sign shall be posted at the entrance as required by the NC Solid Waste Management Rules Operational Requirements, 15A NCAC 13B .0566 (16).
 - c. Survey stakes/posts shall be installed to delineate the limits of PHASE VII.
 - d. Certification letter by a register engineer or the project engineer that the required site work was done in accordance with the approved plans and that the separation of four feet to seasonal high groundwater, as shown on the approved plans is consistent with Solid Waste Section Rules.
 - e. Site access controls shall be installed and operational.
 - f. As-built survey indicating the grades and elevations achieved shall be submitted with the certification letter.

PREPARED BY:
W. KELLY ELDER, JR., P. A.
BURLINGTON, NC 27215

3071-18-4172-00
3872-11-6749-00

EXCISE TAX: \$163.00

NORTH CAROLINA
EDGECOMBE COUNTY

WARRANTY DEED

THIS WARRANTY DEED made this 6th day of June, 1991, by and between BRUCE R. CADE and wife, LESLIE C. CADE, and ROBERT E. CADE, single, an incompetent adult acting through his general guardian, BRUCE R. CADE, pursuant to authority granted in that certain Order For Private Sale Of Real Property filed in the action entitled IN THE MATTER OF THE ESTATE OF ROBERT EARL CADE, NCM, of record in the Office of the Clerk of Superior Court of Edgecombe County, 91 SP 49, all of Alamance County, North Carolina, herein collectively called "Grantor", and the CITY OF ROCKY MOUNT, a municipal corporation with a mailing address of P. O. Box 1180, Rocky Mount, North Carolina 27802-1180, herein called "Grantee". The designations Grantor and Grantee as used herein shall include such parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by the context.

WITNESSETH:

WHEREAS, Robert E. Cade, one of the Grantors, is the owner of a one-half (1/2) undivided interest in the real property described below; and,

WHEREAS, Bruce R. Cade, one of the Grantors, is the owner of the other one-half (1/2) undivided interest in such real property; and

WHEREAS, Robert E. Cade is an incompetent adult and Bruce R. Cade is his duly appointed general guardian; having been so appointed on August 18, 1981, in Alamance County, North Carolina; and,

WHEREAS, Bruce R. Cade, as general guardian for Robert E. Cade, was authorized to sell at private sale Robert E. Cade's one-half (1/2) undivided interest in such real property pursuant to an Order For Private Sale Of Real Property entered on the 22d day of May, 1991, by the Honorable Carol F. White, Clerk of Superior Court of Edgecombe County, and approved by the Honorable Frank R. Brown, Superior Court Judge, in the action entitled In The Matter Of The Estate Of Robert Earl Cade, NCM, 91 SP 49; and

WHEREAS, a Report of Sale was filed on May 23, 1991, in the Office of the Clerk of Superior Court of Edgecombe County, North Carolina, reporting the sale of Robert E. Cade's one-half (1/2) undivided interest in such real property to the City of Rocky

Real Estate Excise Tax 163.00

STATE OF NORTH CAROLINA

EDGECOMBE COUNTY

JUN-691

F.B. 10744

Mount for the sum of Eighty-One Thousand Five Hundred Dollars (\$81,500.00); and,

WHEREAS, more than ten (10) days have elapsed since the filing of such Report Of Sale, and no advance or upset bids have been received; and,

WHEREAS, the Honorable Carol F. White, Clerk of Superior Court of Edgecombe County, entered an Order Of Confirmation In Private Sale Of Real Property on June 6, 1991, and such Order was approved by the Honorable Frank R. Brown, Superior Court Judge, on the same day.

NOW THEREFORE, in consideration of the sum of Eighty-One Thousand Five Hundred Dollars (\$81,500.00) paid by the Grantee to the Grantor, the receipt of which is hereby acknowledged, Grantor has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in No. 7 Township, Edgecombe County, North Carolina, and more particularly described as follows:

SEE "EXHIBIT A" WHICH IS INCORPORATED HEREIN BY REFERENCE FOR DESCRIPTION OF SUBJECT PROPERTY.

The property described above was acquired by Grantor by Will recorded in Estate 84-E-141, Edgecombe County, North Carolina.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions stated below. Title to the above described property is subject to the following exceptions:

This conveyance is subject to recorded easements, rights of way and restrictions, if any, appearing in the Edgecombe County Registry, and 1991 ad valorem taxes which are to be prorated between Grantor and Grantee on a calendar year basis as of the date of this conveyance.

IN WITNESS WHEREOF, the Grantor has hereunto set his or her hand and adopted as his or her seal the word "SEAL" appearing beside his or her signature, the day and year first above written.

Bruce R. Cade (SEAL)
BRUCE R. CADE

Leslie C. Cade (SEAL)
LESLIE C. CADE

ROBERT E. CADE

BY: Bruce R. Cade, adm (SEAL)
BRUCE R. CADE, General
Guardian for Robert E. Cade,
NCM

NORTH CAROLINA, NASH COUNTY

I, a Notary Public of the County and State aforesaid, certify that BRUCE R. CADE and wife, LESLIE C. CADE, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 6th day of June, 1991.

My commission expires:
4-27-95

Joyce G. Williams
NOTARY PUBLIC

JOYCE G. WILLIAMS
Notary Public
Nash County, N.C.

NORTH CAROLINA, NASH COUNTY

I, a Notary Public of the County and State aforesaid, certify that BRUCE R. CADE, general guardian for Robert E. Cade, NCM, personally came before me this day and being by me duly sworn says that he executed the foregoing Warranty Deed for and in behalf of the said Robert E. Cade and that his authority to execute the foregoing Warranty Deed is contained in that certain Order For Private Sale Of Real Property of record in File No. 91 SP 49 in the office of the Clerk of Superior Court of Edgecombe County, and that this instrument was executed under and by virtue of the authority given by said Order; that the said BRUCE R. CADE acknowledged the due execution of the foregoing Warranty Deed for and on behalf of the said Robert E. Cade.

Witness my hand and official stamp or seal, this 6th day of June, 1991.

My commission expires:
4-27-95

Joyce G. Williams
NOTARY PUBLIC

JOYCE G. WILLIAMS
Notary Public
Nash County, N.C.

m/cade

over

EXHIBIT A
ATTACHED TO THAT CERTAIN WARRANTY DEED FROM BRUCE R. CADE, ET AL, TO THE CITY OF ROCKY MOUNT, DATED JUNE 6, 1991.

That certain tract or parcel of land located in No. 7 Township, Edgecombe County, North Carolina, and described as BEGINNING at a stake in the Battle heirs' line J. D. Smith's corner; thence along the Battle heirs' line N 6-44 E 5712 feet, more or less, to an iron stake in old road, corner of Battle heirs' land and corner of Tract No. 2 of the James B. Battle Farm; thence N 37-10 E 1836.5 feet along the line of Tracts Nos. 2 and 3 of the James B. Battle Farm to an iron stake in the Odom line; thence along the Odom line S 83-17 E 766 feet to an iron stake, the Odom corner; thence along J. M. Daughtry's line S 6-31 W 7166 feet, more or less, to a stake, J. D. Smith's corner in J. M. Daughtry's line; thence along J. D. Smith's line N. 87-06 W 1750 feet, more or less, to the beginning, containing 270.8 acres, more or less, and being the identical property described in deeds to R. B. McAfee recorded in Book 371, page 91, and Book 409, page 33, Edgecombe County Public Registry, and the said R. B. McAfee died about 1954 leaving surviving him his widow, Ethel B. McAfee, who died in 1967, and a daughter, Sarah Bruce McAfee Cade, who died testate in Alamance County, North Carolina, on April 10, 1967, and by her Last Will and Testament devised said property to her sons, Bruce Reed Cade and Robert Earl Cade, and a copy of said Will and its probate is recorded in Estate 84-E-141, in the Office of the Clerk of Superior Court of Edgecombe County.

NORTH CAROLINA, EDGECOMBE COUNTY
The foregoing certificate(s) of James
W. Williams

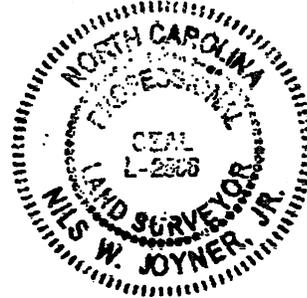
A Notary Public, is (are) certified to be correct.
This instrument was presented for registration
and recorded in this office in Book 1065 Page 203
This 6 day of June 1991
at 2:20 o'clock P M.

Gladys Shelton Pitt
Register of Deeds
By B. J. [Signature] Deputy

**LEGAL DESCRIPTION FOR PROPERTY OF
CITY OF ROCKY MOUNT
S. R. 1400
OCTOBER 04, 2002**

Beginning at a point on the eastern right of way line of SR 1400 (Springfield Road), the northwestern most corner of William T. Phillips (Book 736, Page 254 Edgecombe County Registry); thence along said eastern right-of-way N 04° 00' 22" E 54.85 feet to a point of curvature, thence along said curve having a radius of 710 feet, a chord bearing and distance of N. 04° 15' 48" E 6.37 feet to a point in the southern line for Evans Tree Farm, Inc. (Book 924, Page 365); thence along the southern and eastern line for Evans Tree Farm, Inc. the following two courses and distances, N 82° 32' 44" E 1242.23 feet to a point; thence N 04° 31' 27" W 733.15 feet to a point in a southern line for Lucy Ann Williams (Book 896, Page 839); thence along a southern and eastern line for Lucy Ann Williams the following two courses and distances, S 88° 31' 02" E 1475.86 feet to a point; thence N 01° 25' 10" E 150.00 feet to a point in a eastern line for George Williams (Book 505, Page 359); thence along a eastern line for George Williams, N 01° 25' 10" E 631.09 feet to a point in a eastern line for James B. Battle Farm (Map Book 4, Page 57); thence along the eastern line for James B. Battle Farm, N 32° 13' 55" E 1836.13 feet to a existing axle in the southern line for Jane Morrow; thence along the southern and eastern line for Jane Morrow the following two courses and distances, S 88° 33' 17" E 765.91 feet to a point; thence S 01° 18' 42" W 16.00 feet to a point in a western line for City of Rocky Mount (Book 1065, Page 205); thence along the western line for City of Rocky Mount, S 01° 18' 42" W 4278.83 feet to a point in a western line for Phillips Holding Company (Book 1026, Page 472); thence along the western line for Phillips Holding Company, S 01° 12' 54" W 2837.95 feet to a point in a northern line for Welford Lee Winstead and wife Loretta J. Winstead (Book 660, Page 588); thence along the northern line for Welford Lee Winstead and wife Loretta J. Winstead, S 88° 49' 04" W 1726.41 feet to a point in a eastern line for Barnhill Contracting Company (Book 889, Page 272); thence along the eastern and northern line for Barnhill Contracting Company the following two course and distances, N 01° 25' 10" E 1266.23 feet to a point; thence N 84° 35' 41" W 808.45 feet to a point, corner of Barnhill Contracting Company and Avalon Missionary Baptist Church (Book 660, Page 61); thence along a northern line for Avalon Missionary Baptist Church, N. 84° 50' 36" W 944.56 feet to a point, on the eastern line of Evans Tree Farm, Inc. (Book 924, Page 365); thence along a new eastern line for Evans Tree Farm, Inc., N 05° 09' 24" E 431.74 feet to a point; thence along the northern line for Evans Tree Farm, Inc., N 84° 50' 36" W 388.48 feet to a point, corner for Evans Tree Farm, Inc. and Margaret Cooley (Book 600, Page 604); thence along the eastern lines property of Margaret Cooley, Margaret C. Watson and Victor C. Moser (Book 979, Page 513) and property of James T. Nelms and wife, Eunice A. Nelms (Book 1059, Page 278), N 05° 05' 32" E 1049.21 feet to a point, corner with Nelms in a southern line of William T. Phillips (Book 736, Page 254); thence along the southern line of William T. Phillips, S 62° 30' 13" E 903.72 feet to a point; thence along an eastern line of William T. Phillips, N 04° 31' 27" W 1584.67 feet to an existing iron pipe; thence along a northern line of William T. Phillips, S 82° 32' 44" W 1251.35 feet to the point of beginning containing 395.91 acres and being that property recorded in Plat Cabinet 3

Slide 40B, Edgecombe County Registry (Also being that property described in Deed Book 1071 Page 247) and that property described in Deed Book 1065 Page 103, Number 7 Township, Edgecombe County Registry. As shown on plat entitled "Recombination Plat Inert Debris Site For City of Rocky Mount" by Joyner, Keeny and Associates dated September 10, 2002.



Nils W. Joyner Jr
10-07-02

ATTACHMENTS

1. Permit submittal document dated 19 September 2002, with original drawings dated 1 May 2002, received 30 September 2002. Included in this document are the following additional items;
 - a. Zoning consistency letter dated 13 August 2002 from Peter Varney;
 - b. Site plans, construction and operational
 - c. Letter dated 28 February 2003, from Paul Blount - Director of Water Resources, addressing the properties use as related to the Water Quality permit issued to City of Rocky Mount.
 - d. Letter dated 20 September 2002 from NC Dept. Of Cultural Resources.
 - e. Letter dated 18 February 2003 from DWQ addressing isolated wetlands.
2. Additional copies of permit submittal documents and site plans, received 3 April 2003.

North Carolina
Department of Environment and Natural Resources

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary
Dexter R. Matthews, Director



April 15, 2003

Mr. Doug Roberson
Director of Public Works
City of Rocky Mount
P.O. Box 1180
Rocky Mount, North Carolina 27802

**Subject: Permit to Construct: City of Rocky Mount Land Clearing and Inert Debris Landfill located in Number 7 Township, Rocky Mount, Edgecombe County, North Carolina; Deed Book: 1065 and Page: 103
Permit #: 33-G**

Dear Mr. Roberson:

Enclosed please find a Solid Waste Permit, Conditions of the Solid Waste Permit, and a Certified Copy of the Solid Waste Permit for the above referenced Land Clearing & Inert Debris(LCID)landfill. This is a PERMIT TO CONSTRUCT(PTC), issued in accordance with Section .0201(b) and consistent with Section .0203 and .0563(6)(c) of the Solid Waste Management Rules 15A NCAC 13B. Phase VII is approved for construction as shown on sheets CE-3 and CE-6. Based on the plans submitted, no excavation is proposed within the landfill footprint limits. Structural fill shall be placed to an elevation consistent with the fill cross-section shown on sheet CE-6. The issuance of this permit does not exempt an applicant from any local ordinances that may regulate a facility and the responsibility of compliance with any applicable ordinance lies with the permit holder.

Please note Condition No. 3, which states that this permit shall not be effective unless the certified copy is filed in the Register of Deeds office and the copy is returned to the Solid Waste Section, within thirty (30) working days, from date received, with the page and book number, date of recordation, and Register's seal. This PTC should be recorded and referenced against the deed recorded in Book: 1071 and Pages: 0247 - 0250 and against the warranty deed in Book: 1065 and Pages: 0103 - 0106.

Also note Condition No. 9, which requires that a pre-operative meeting be held and that outlines the pre-operative conditions that need to be met prior to operation of Phase VII.

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone: 919-733-0692 \ FAX: 919-733-4810 \ Internet: www.enr.state.nc.us/

Mr. Roberson
Page 2
April 15, 2003

Please contact Mr. Ben Barnes, Waste Management Specialist, when you are ready to schedule this meeting. Mr. Barnes can be reached in our Raleigh Regional Office at (919) 571-4700. If you have questions about your permit, please contact me at (919) 733-0692 Ext: 255.

Sincerely,

A handwritten signature in black ink that reads "Jim Barber". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke.

Jim Barber
Permitting Branch Supervisor
Solid Waste Section
Division of Waste Management

cc: Mark Fry
Ben Barnes
RCO File: Permit # 33-G; City of Rocky Mount LCID LF; Edgecombe County

PERMIT NUMBER: 33-G
ORIGINAL DATE ISSUED(PTC): 04/15/03

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
1646 MAIL SERVICE CENTER; RALEIGH, N.C. 27699-1646

SOLID WASTE PERMIT

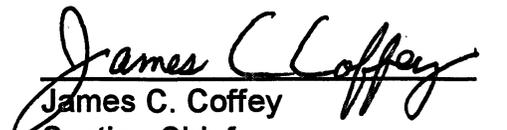
CITY OF ROCKY MOUNT

is hereby issued a PERMIT TO CONSTRUCT

PHASE VII of a

LAND CLEARING AND INERT DEBRIS (LCID) LANDFILL

on property accessed from and located east of Old Battleboro Road, in Number 7 Township, Rocky Mount, Edgecombe County, North Carolina in accordance with Article 9, Chapter 130A of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The facility is located and described by the legal descriptions provided in deed recorded in Book: 1065 and Page: 0103 and in the permit application and the site drawings.


James C. Coffey
Section Chief
Solid Waste Section
Division of Waste Management

PERMIT NUMBER: 33-G
ORIGINAL DATE ISSUED(PTC): 04/15/03
FACILITY NAME: CITY OF ROCKY MOUNT
LAND CLEARING & INERT DEBRIS LF(phase VII)
EDGEcombe COUNTY, N.C..

CONDITIONS OF PERMIT

1. This PERMIT TO CONSTRUCT is issued for the construction of the proposed LAND CLEARING AND INERT DEBRIS LANDFILL (PHASE VII) in accordance with the approved plan sheet CE-3 and CE-6 dated 26 September 2002 (received as part of the permit submittal document dated 19 September 2002). This permit is for the construction of PHASE VII, as shown on sheet CE-3, along with any infrastructure that is required by the rules; i.e. gate, sign, access road, and incidental grading of the PHASE VII to allow for surface water management .
2. All earth disturbing activities will be conducted in accordance with all federal, state, and local requirements and consistent with the NPDES permits issued from the Division of Water Quality.
3. All sedimentation and erosion control activities shall be conducted in accordance with the Sedimentation Control Act 15A NCAC 4 and consistent with approved local programs delegated from Division of Land Resources - Land Quality Section.
4. This permit shall not be effective unless the certified copy is filed in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit, affixed with the Register's seal and the date, book, and page number of recording shall be returned to the Division of Solid Waste Management, within THIRTY (30) working days, from date received. Please send the recorded permit copy to:

SOLID WASTE SECTION
225 GREEN STREET; SUITE 601
FAYETTEVILLE, NORTH CAROLINA 28301
ATTN: JIM BARBER

The following deeds shall be referenced and recorded against:

Book: 1065 and Pages: 0247 - 0250;
Book: 1071 and Pages: 0103 - 0106

5. When this property is sold, leased, conveyed, or transferred, the deed or other instrument of transfer shall contain in the deed description section in no smaller type than that used in the body of the deed or instrument a statement that the property has been used as a land clearing and inert debris landfill.

PERMIT NUMBER: 33-G
ORIGINAL DATE ISSUED(PTC): 04/15/03
FACILITY NAME: CITY OF ROCKY MOUNT
LAND CLEARING & INERT DEBRIS LF(phase VII)
EDGEcombe COUNTY, N.C..

6. Waste shall be placed a minimum of four (4) feet above the seasonal high water table. Excavation at the site is not planned in accordance with the permit submittal document. Incidental grading can be performed to managed surface water at the site within PHASE VII.
7. This permit is not transferable.
8. The following requirements shall be met prior to the issuance of the **PERMIT TO OPERATE** and receiving solid waste at the site:
 - a. A site inspection and pre-operative meeting shall be conducted by a representative of the Solid Waste Section.
 - b. A sign shall be posted at the entrance as required by the NC Solid Waste Management Rules Operational Requirements, 15A NCAC 13B .0566 (16).
 - c. Survey stakes/posts shall be installed to delineate the limits of PHASE VII.
 - d. Certification letter by a register engineer or the project engineer that the required site work was done in accordance with the approved plans and that the separation of four feet to seasonal high groundwater, as shown on the approved plans is consistent with Solid Waste Section Rules.
 - e. Site access controls shall be installed and operational.
 - f. As-built survey indicating the grades and elevations achieved shall be submitted with the certification letter.

THIS INSTRUMENT PREPARED BY THOMAS D. EATMAN, JR., ATTORNEY AT LAW, POYNER & SPRULL, P. O. DRAWER 353, ROCKY MOUNT, NORTH CAROLINA 27802-0353

NORTH CAROLINA

EDGECOMBE COUNTY

THIS DEED, made this 31 day of October, 1991, by and between EVANS TREE FARM, INC., Grantor, and THE CITY OF ROCKY MOUNT, a municipal corporation lying in Nash and Edgecombe Counties, whose mailing address is P. O. Box 1180, Rocky Mount, North Carolina 27802-1180, Grantee. The designations Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine, or neuter as required by context.

W I T N E S S E T H:

That Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto Grantee in fee simple, all that certain lot or parcel of land situated in Number Township, Edgecombe County, North Carolina, and more particularly described as follows:

BEGINNING at a new iron pipe set in the eastern right of way line of SR 1400 (Springfield Road), northwesternmost corner for William T. Phillips (Book 736, Page 254, Edgecombe County Registry) at N.C. Grid NAD 83' Coordinates N=819,743.608 and E=2,368,031.835, which new iron pipe is located N. 82° 00' 23" E. 115.13 feet (Horizontal Ground Distance, Combined Factor = 0.999949897) from a new iron pipe in the right of way of SR 1402 located at N.C. Grid NAD 83' Coordinates N=819,727.599 and E=2,367,917.830; thence along the eastern right of way line of SR 1400, N. 04° 00' 22" E. 54.85 feet to a point of curvature, and continuing along the eastern right of way line of SR 1400 which is a curve having a radius of 710 feet, a chord bearing and distance of N. 04° 15' 48" E. 6.37 feet to a new iron pipe, a new

Excise Tax 209.00
NORTH CAROLINA
OCT 31 '91
RB. 10746
0 2 8 7 0
COUNTY

corner for Evans Tree Farm, Inc.; thence along a new southern line for Evans Tree Farm, Inc., N. 82° 32' 44" E. 1242.23 feet to a new iron pipe with aluminum cap stamped "City of Rocky Mount", a new corner with Evans Tree Farm, Inc.; thence along a new eastern line for Evans Tree Farm, Inc., N. 04° 31' 27" W. 733.15 feet to a new iron pipe with aluminum cap stamped "City of Rocky Mount" in a southern line for Lucy Ann Williams (Book 896, Page 839); thence along a southern line for Lucy Ann Williams, S. 88° 31' 02" E. 1475.86 feet to a new iron pipe with aluminum cap stamped "City of Rocky Mount" in a western line for property owned by the City of Rocky Mount (Book 1065, Page 103) and formerly owned by Sarah M. Cade (Map Book 4, Page 45); thence along a western line for property owned by the City of Rocky Mount, S. 01° 25' 10" W. 3587.19 feet to a new iron pipe with aluminum cap stamped "City of Rocky Mount" at a corner with Barnhill Contracting Company (Book 889, Page 272) (Tract 1 of Hugh H. Battle Estate, Map Book 18, Page 41), located 4384.66 feet northerly of an existing iron pipe in a northern right of way line of N.C. Highway 97; thence along a northern line for Barnhill Contracting Company, N. 84° 35' 41" W. 808.45 feet to an existing iron pipe, corner for Barnhill Contracting Company and Avalon Missionary Baptist Church (Book 660, Page 61); thence along a northern line for Avalon Missionary Baptist Church, N. 84° 50' 36" W. 944.56 feet to a new iron pipe with aluminum cap stamped "City of Rocky Mount", a new corner with Evans Tree Farm, Inc.; thence along a new eastern line for Evans Tree Farm, Inc., N. 05° 09' 24" E. 431.74 feet to a new iron pipe with aluminum cap stamped "City of Rocky Mount", cornering; thence along a new northern line for Evans Tree Farm, Inc., N. 84° 50' 36" W. 388.48 feet to a new iron pipe with aluminum cap stamped "City of Rocky Mount", corner for Evans Tree Farm, Inc. and Margaret Cooley (Book 660, Page 604); thence along the eastern lines of Margaret Cooley, property now or formerly owned by Margaret Cooley, property of Margaret C. Watson and Victor C. Moser (Book 979, Page 513) and property of James T. Nelms and wife, Eunice A. Nelms (Book 1059, Page 278), N. 05° 05' 32" E. 1049.21 feet to an existing iron pipe, corner with Nelms in a southern line of William T. Phillips (Book 736, Page 254); thence along a southern line of William T. Phillips, S. 62° 30' 13" E. 903.72 feet to an existing iron pipe, cornering; thence along an eastern line of William T. Phillips, N. 04° 31' 27" W. 1584.67 feet to an existing iron pipe, cornering; thence along a northern line of William T. Phillips, S. 82° 32' 44" W. 1251.35 feet to the point of beginning, all as shown on map entitled "Property of City of Rocky Mount" dated October 24, 1991, prepared by Joyner, Keeny & Associates, a copy of which is recorded in Plat Cabinet 3, Page

BOOK 1071 PAGE 248

40B, Edgecombe County Registry, to which map reference is made for a more particular description.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to Grantee in fee simple.

And Grantor covenants with Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions herein stated.

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its corporate name by its (Vice) President, sealed with its corporate seal, and attested by its (Asst.) Secretary, all by order of its Board of Directors, as of the day and year first above written.

EVANS TREE FARM, INC.

BY J. Marshall Zuer
(Vice) President

ATTEST:

[Signature]
(Asst.) Secretary

[CORPORATE SEAL]



BOOK 1071 PAGE 249

NORTH CAROLINA

COUNTY OF

Nash

I, Bonnie R. Carson Notary Public, do hereby certify that Jamela D. Evans (~~Asst.~~) Secretary of Evans Tree Farm, Inc., a corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its (Vice) President, sealed with its corporate seal, and attested by him/herself as its (~~Asst.~~) Secretary.

Witness my hand and notarial seal, this the 31st day of October, 1991.

Bonnie R. Carson
Notary Public

My Commission Expires: 11/29/92

BONNIE R. CARSON
NOTARY PUBLIC
NASH COUNTY, NC

NORTH CAROLINA, EDGECOMBE COUNTY

The foregoing certificate (s) of _____

Bonnie R. Carson

A Notary Public, is (are) certified to be correct.
This instrument was presented for registration and recorded in this office in Book 1071 Page 247
This 31st day of October 1991
at 3:30 o'clock P M.

Gladys Shelton Pitt
Register of Deeds
By Billy R. Godfrey Assistant

03016300308
JGW00101.W-D

BOOK 1071 PAGE 250

**LEGAL DESCRIPTION FOR PROPERTY OF
CITY OF ROCKY MOUNT
S. R. 1400
OCTOBER 04, 2002**

Beginning at a point on the eastern right of way line of SR 1400 (Springfield Road), the northwestern most corner of William T. Phillips (Book 736, Page 254 Edgcombe County Registry); thence along said eastern right-of-way N 04° 00' 22" E 54.85 feet to a point of curvature, thence along said curve having a radius of 710 feet, a chord bearing and distance of N. 04° 15' 48" E 6.37 feet to a point in the southern line for Evans Tree Farm, Inc. (Book 924, Page 365); thence along the southern and eastern line for Evans Tree Farm, Inc. the following two courses and distances, N 82° 32' 44" E 1242.23 feet to a point; thence N 04° 31' 27" W 733.15 feet to a point in a southern line for Lucy Ann Williams (Book 896, Page 839); thence along a southern and eastern line for Lucy Ann Williams the following two courses and distances, S 88° 31' 02" E 1475.86 feet to a point; thence N 01° 25' 10" E 150.00 feet to a point in a eastern line for George Williams (Book 505, Page 359); thence along a eastern line for George Williams, N 01° 25' 10" E 631.09 feet to a point in a eastern line for James B. Battle Farm (Map Book 4, Page 57); thence along the eastern line for James B. Battle Farm, N 32° 13' 55" E 1836.13 feet to a existing axle in the southern line for Jane Morrow; thence along the southern and eastern line for Jane Morrow the following two courses and distances, S 88° 33' 17" E 765.91 feet to a point; thence S 01° 18' 42" W 16.00 feet to a point in a western line for City of Rocky Mount (Book 1065, Page 205); thence along the western line for City of Rocky Mount, S 01° 18' 42" W 4278.83 feet to a point in a western line for Phillips Holding Company (Book 1026, Page 472); thence along the western line for Phillips Holding Company, S 01° 12' 54" W 2837.95 feet to a point in a northern line for Welford Lee Winstead and wife Loretta J. Winstead (Book 660, Page 588); thence along the northern line for Welford Lee Winstead and wife Loretta J. Winstead, S 88° 49' 04" W 1726.41 feet to a point in a eastern line for Barnhill Contracting Company (Book 889, Page 272); thence along the eastern and northern line for Barnhill Contracting Company the following two course and distances, N 01° 25' 10" E 1266.23 feet to a point; thence N 84° 35' 41" W 808.45 feet to a point, corner of Barnhill Contracting Company and Avalon Missionary Baptist Church (Book 660, Page 61); thence along a northern line for Avalon Missionary Baptist Church, N. 84° 50' 36" W 944.56 feet to a point, on the eastern line of Evans Tree Farm, Inc. (Book 924, Page 365); thence along a new eastern line for Evans Tree Farm, Inc., N 05° 09' 24" E 431.74 feet to a point; thence along the northern line for Evans Tree Farm, Inc., N 84° 50' 36" W 388.48 feet to a point, corner for Evans Tree Farm, Inc. and Margaret Cooley (Book 600, Page 604); thence along the eastern lines property of Margaret Cooley, Margaret C. Watson and Victor C. Moser (Book 979, Page 513) and property of James T. Nelms and wife, Eunice A. Nelms (Book 1059, Page 278), N 05° 05' 32" E 1049.21 feet to a point, corner with Nelms in a southern line of William T. Phillips (Book 736, Page 254); thence along the southern line of William T. Phillips, S 62° 30' 13" E 903.72 feet to a point; thence along an eastern line of William T. Phillips, N 04° 31' 27" W 1584.67 feet to an existing iron pipe; thence along a northern line of William T. Phillips, S 82° 32' 44" W 1251.35 feet to the point of beginning containing 395.91 acres and being that property recorded in Plat Cabinet 3

Slide 40B, Edgecombe County Registry (Also being that property described in Deed Book 1071 Page 247) and that property described in Deed Book 1065 Page 103, Number 7 Township, Edgecombe County Registry. As shown on plat entitled "Recombination Plat Inert Debris Site For City of Rocky Mount" by Joyner, Keeny and Associates dated September 10, 2002.



Nils W. Joyner Jr
10-07-02

ATTACHMENTS

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