

LCIDN41-C Permit Kermit Simmons

File Code 41-21 COMPLAINT INVESTIGATION Guilford
County

Date Received 6/4/93 Received By Hugh Jernigan

How Received: Letter, Phone, Raleigh Referral, Other

WMS: Hugh Jernigan COMPLAINANT: Moe Sellers
ADDRESS: _____
PHONE: 288-2077

COMPLAINT: K R Simmons Landfill Dumping Sheetrock and building debris and other non conforming materials at the Landfill

DIRECTIONS: Simmons Landfill

RESPONSIBLE PARTY: K R Simmons - Simmons Landfill
ADDRESS: 1918 Trappan Rd
PHONE: _____

NATURE OF COMPLAINT:

NON-FACILITY:

- OPEN DUMP, STORAGE, TRANSP., BURNING
- LAND APPLICATION, UNMANAGED DUMP
- USED OIL, MEDICAL WASTE, SCRAP TIRE, SEPTAGE,
- INDUSTRIAL PROCESS WASTE, C&D WASTE, LCI WASTE
- COMMERCIAL/RESIDENTIAL WASTE

FACILITY:

- MSW LANDFILL, C&D LANDFILL, LCI LANDFILL, MSW INCINERATOR,
- MW INCINERATOR, MIXED WASTE PROCESSING, YARD WASTE COMPOST,
- SCRAP TIRE COLLECTION, MSW COMPOSTING, TRANSFER,
- SEPTAGE, INDUSTRIAL WASTE LANDFILL, MONOFILL,
- TREATMENT & PROCESSING, MRF

DATE/ACTION: 6-8-93 Site visit by Hugh and Brent B
 DATE/ACTION: 6/25/93 Site visit by Hugh and Brent B Site looking much better.
 DATE/ACTION: _____
 DATE/ACTION: _____
 DATE/ACTION: _____

(Use an extra sheet if necessary for detailed documentation)

DISPOSITION: NO SOLID WASTE VIOLATION FOUND DATE _____
 VIOLATION CORRECTED DATE 7/28/93
 CLOSED ON SITE, REMOVED TO APPROVED SITE
 REFERRAL, REFERRED TO _____

REMARKS: _____

COPIES TO: _____

DISPOSITION DATE: 7/28/93
BY: Brent B Smith

**INSTRUCTIONS
COMPLAINT INVESTIGATION FORM**

1. The top portion of the form may be completed by the person receiving the complaint (Secretary, Raleigh staff, etc.). This information should be sent to the appropriate Waste Management Specialist. The Waste Management Specialist will complete from "Nature of Complaint" and may, on occasion, fill out basic information on the top portion of the form.
2. The "Nature of Complaint" section divides complaints into two categories:
 - (1) Non-Facility - Complaints involving activities not permitted by our section.
 - (2) Facility - Complaints involving activities permitted by our section.
3. Non-Facility complaints are to be classified by choosing one element of the more broad category such as "Open Dump", "Storage", etc. and one element of the more specific category such as "Scrap Tire", "C&D Waste", etc. Facility complaints involve choosing one of the types of facilities listed on the form.
4. A complaint at one location may involve more than one type of Non-facility. For instance an "Open Dump" may contain tires and medical waste in sufficient quantities to designate one location as: (1) Open Dump - LCI Waste (2) Open Dump - Scrap Tire, and (3) Open Dump - Medical Waste. If only a few tires or a small amount of medical waste was observed, these items would obviously be removed, but the site would be handled under one type of Non-Facility - Open Dump-LCI Waste. In sites involving more than one type of Non-Facility, a "COMPLAINT INVESTIGATION" form should be completed for each type of Non-Facility. Your judgement will be required!!!
5. Some specific "Non Facility" classifications are not listed. Examples are "Collection Centers" and "Drop-off Centers". These particular two items would be considered Storage-Commercial/Residential Waste. A note on the form that this is a "Drop-off Center" or "Collection Center" is fine. There will no doubt be other examples of sites that are not specifically listed. In such cases choose one of the existing options and make a note on the form. (Most sites involve Storage, Transportation or one of the disposal options listed.)
6. Documentation of actions for monthly reports is essential and can be done by using the DATE/ACTION section to reflect Investigations, Investigative Actions, Compliance Actions and Disposition.

Examples:
10/04/92 - Investigation/Site Visit/Tech. Asst.
10/05/92 - NOV sent
10/07/92 - Tech. Asst. phone
10/15/92 - Site Visit/Off Site Disposition Complete
7. Investigations may occur without a Site Visit if time is spent evaluating a complaint for referral. The initial site visit should also be recorded as an Investigation. Follow-up visits should be recorded as Site Visits and Tech. Asst. unless the purpose of the follow-up Site Visit is to investigate new allegations or conditions, or to verify proper disposition. A follow-up Site Visit to investigate new information would be recorded - Site Visit/Investigation. A follow-up site visit to verify proper Disposition would be recorded Site Visit/Disposition (either on site or remove).
8. An updated copy of each "COMPLAINT INVESTIGATION" form should be maintained by the Waste Management Specialist and available to the Area Supervisor or Raleigh staff on short notice. Upon Disposition of a complaint, a complete and legible copy of the completed form should be placed in the Regional Office file and the Central Office file.
9. Septage: Since completing the forms, we have been asked to keep up with all time devoted to septage. Please note on back of any "COMPLAINT INVESTIGATION" form involving septage the time devoted to the complaint. The total hours spent on septage complaints should be noted on the bottom of the second page of the monthly report.

FILE - GUILF. CO.
FAC. - DEMO LF



State of North Carolina
Department of Environment, Health, and Natural Resources
Division of Solid Waste Management
P.O. Box 27687 · Raleigh, North Carolina 27611-7687

James G. Martin, Governor
William W. Cobey, Jr., Secretary

William L. Meyer
Director

July 12, 1991

Mr. K.R. Simmons
1918 Trosper Road
Greensboro, NC 27405

Dear Mr. Simmons:

Due to recent changes within Guilford County and within the Guilford County Department of Public Health, Environmental Health Division, the state-delegated Solid Waste Program in Guilford County has technically reverted back to the N.C. Division of Solid Waste Management.

The scope of the program as it was handled by the Guilford County Department of Public Health, dealt with the permitting, inspection, and regulation enforcement of demolition waste disposal sites within Guilford County ultimately under the control of the N.C. Division of Solid Waste Management.

Please be advised that the N.C. Division of Solid Waste Management will re-assume directly all the above mentioned activities and your contact is:

Jeff Rodgers
Waste Management Specialist
Solid Waste Section
N.C. Division of Solid Waste Management
310 East Third Street, Suite 200
Winston-Salem, NC 27101
Telephone: 919/761-2390

Enclosed you will find an attached page that indicates violations and/or conditions that need to be addressed, discussed, and a plan of action developed on your part with the operation of your demolition landfill.

You are instructed to contact me to set up an appointment to meet to evaluate and discuss these items within the next 2 weeks.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Rodgers".

Jeff Rodgers
Waste Management Specialist
Solid Waste Section

ADDENDUM

Based upon a review of the records pertaining to the operation of your demolition landfill in Guilford County, the following item(s) must be addressed, discussed, and a plan of action developed:

LANDFILL: K.R. Simmons Demolition Landfill

PERMIT NUMBER: 41-87-3

ITEM(S)

- A. Plan and Permit Requirements(following construction plans)
- B. Waste Acceptance and Disposal Requirements(allowing non-permitted materials to be disposed of at demolition landfill)

cc: Julian Foscue, Solid Waste Section Western Area Supervisor
Dexter Matthews, Solid Waste Section Chief
Raleigh-Central Files
File



GUILFORD COUNTY

November 14, 1990

Mr. Kermit R. Simmons
1918 Trooper Road
Greensboro, N. C. 27405

CERTIFIED

RE: Simmons Landfill
GRADING PERMIT #660

Dear Mr. Simmons:

An erosion control inspection was made at Simmons Landfill by personnel of the Department of Planning and Development on November 1, 1990 to check for compliance with the Guilford County Soil Erosion and Sedimentation Control Ordinance. Your project is currently in violation of Section 7 (ground cover requirements).

The following corrections are needed to bring this project into compliance with the County Ordinance:

1. The stockpiling of topsoil near the entrance of the site is not shown on the landfill site plan and is, therefore, not permitted. All topsoil in this area is to be moved to the landfill area or must be smoothed out, seeded and mulched at its present location.
2. The limits of the dumping were established by on-site meeting with Terry Cole of the Health Department. The dumping is to be contained to the location on the approved grading and erosion control plan.

Item #1 is to be completed by December 13, 1990.

Failure to comply by the deadline will result in a civil penalty of \$250.00 per day being instigated against you starting on December 14, 1990. This procedure is provided for by North Carolina General Statute #113A-64 (copy attached). Grading Permit #660 will be revoked. To prevent the penalty from being instigated and the permit being revoked, please complete all corrections by the deadline. In case of adverse weather conditions, call my office to arrange a meeting on-site, (373-3390).

Sincerely,

PLANNING & DEVELOPMENT

Jamie Blue
Soil Technician

/s

Attachment



GUILFORD COUNTY
DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH

October 3, 1990

Kermit R. Simmons
1918 Trooper Road
Greensboro, NC 27405

Dear Mr. Simmons:

On October 1, 1990, an inspection was done at your permitted landfill located on 1918 Trooper Road, Greensboro, NC, to see if your facility is in compliance with the State Solid Waste Rules and Regulations.

Your site shall only accept those solid wastes which it is permitted to receive. Tar shingles, sheet rock and paint cans should not be disposed of in your landfill. No mounding waste and stay within the landfill limits.

Please feel free to contact our office if you need additional assistance.

Sincerely,

Todd W. Davidson

Todd W. Davidson
Toxic and Health Hazard Unit Specialist

/hn

enclosure

301 North Eugene Street
P.O. Box 3508
Greensboro, N. C. 27401
Phone: (919) 373-3771

501 E. Green Dr.
High Point, N. C. 27260
Phone: (919) 884-7758



GUILFORD COUNTY
DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH

October 2, 1990

Kermit Simmons
1918 Trosper Road
Greensboro, NC 27405

CERTIFIED MAIL
Return Receipt Requested

Dear Mr. Simmons:

This is to notify you of changes that will be made to the conditions of your Demolition Landfill Permit # 41-87-3.

Under the conditions of your permit issued on December 4, 1987, the Guilford County Division of Environmental Health has the authority to suspend, revoke, or amend permits as deemed necessary by the Division.

The following items are additions and/or amendments to the conditions of your permit:

This site is permitted to receive the following Materials:

Stumps, limbs, leaves, concrete, brick, uncontaminated wood, and uncontaminated earth. Effective January 1, 1991.

When this property is sold, leased, conveyed or transferred, the deed or other instrument of transfer shall contain in the description section in on smaller type than used in the body of the deed or instrument a statement that the property has been used as a Demolition Landfill.

Groundwater quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L.

All earth-disturbing activities will be conducted in accordance with the Sedimentation Pollution Control Act of 1973 (15 NCAC 4).

This facility shall conform to operating procedures in Rule .0507 of the Solid Waste Management Rules and the following specific conditions:

301 North Eugene Street
P.O. Box 3508
Greensboro, N. C. 27401
Phone: (919) 373-3771

501 E. Green Dr.
High Point, N. C. 27260
Phone: (919) 884-7758

- a. Solid Waste shall be restricted to the smallest area possible and compacted as densely as practical. The active area shall not exceed one (1) acre in size.
- b. Adequate soil cover, a minimum of six (6) inch layer, shall be applied monthly.
- c. The permit number and the words "No Unauthorized Dumping Allowed" shall be posted on an entrance sign.
- d. Access to the facility shall be secured by means of gates, berms, etc.

If you have any questions, please feel free to contact our office at (919) 373-3771.

Sincerely,



Todd Davidson
Toxic and Health Hazard Unit Specialist

/hn

attachments : Conditions of Permit (Amended)

PERMIT NO. 41-87-3

DATE ISSUED: October 5, 1990

NORTH CAROLINA DIVISION OF SOLID WASTE MANAGEMENT

DEMOLITION LANDFILL PERMIT

Conditions of Permit:

1. This permit may be subject to review at an administrative hearing upon petition of anyone whose legal rights, privileges, and duties may have been affected by the issuance thereof.
2. This permit shall not be effective unless the certified copy is filed in the Registrar of Deed's Office, in the grantor index under the name of the owner of the land in the county or counties in which the land is located. After recordation, the certified copy shall be returned to the Guilford County Division of Environmental Health and shall have indicated on it the page and book number, date of recordation and Registrar's Seal.
3. When this property is sold, leased, conveyed or transferred, the deed or other instrument of transfer shall contain in the description section in no smaller type than used in the body of the deed or instrument a statement that the property has been used as a Demolition Landfill.
4. This solid waste disposal site is permitted to receive solid waste as defined in 15A NACA 13B, .0101(5); stumps, limbs, leaves, concrete, brick, uncontaminated wood, and uncontaminated earth.
5. *NO LIQUID OR HAZARDOUS WASTE WILL BE ACCEPTED.
6. This facility shall conform to operating procedures in Rule .0307 of the Solid Waste Management Rules and the following specific conditions:
 - a. Solid waste shall be restricted to the smallest area possible and compacted as densely as practical. The active area shall not exceed one (1) acre in size.
 - b. Adequate soil cover, a minimum of six (6) inch layer, shall be applied monthly.
 - c. The permit number and the words 'NO UNAUTHORIZED DUMPING ALLOWED' shall be posted on an entrance sign.
 - d. Access to the facility shall be secured by means of gates, berms, etc.
7. Ground water quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L (Attachment 2).
8. All earth-disturbing activities will be conducted in accordance with the Sedimentation Pollution Control Act of 1973 (15 NCAC 4).
9. The permit will be reviewed on a quarterly basis and may be suspended, revoked, or amended as deemed necessary by the Guilford County Division of Environmental Health. The permit will also be subject to review prior

to the closing of, and beginning of, additional phases of the Landfill. The permit may also be revoked whenever conditions or practices exist which pose an imminent or immediate threat to public health or the environment.

10. If a violation is recorded on two (2) consecutive inspections, this could result in a request for penalty assessment from the North Carolina Division of Solid Waste Management.



GUILFORD COUNTY
DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH

June 29, 1990

Kermit R. Simmons
1918 Trooper Road
Greensboro, NC 27405

Dear Mr. Simmons:

On June 26, 1990, an inspection was done at your permitted demolition landfill located on 1918 Trooper Road, Greensboro, NC, to see if your facility is in compliance with the Solid Waste Rules and Regulations.

Your site shall only accept those solid wastes which it is permitted to receive. The State's definition of a demolition landfill is, "a sanitary landfill that is limited to receiving stumps, limbs, leaves, concrete, brick, wood, and uncontaminated earth.

Please feel free to contact our office if you need additional assistance.

Sincerely,

Todd W. Davidson

Todd W. Davidson
Toxic and Health Hazard Unit Specialist

/hn

301 North Eugene Street
P.O. Box 3508
Greensboro, N. C. 27401
Phone: (919) 373-3771



GUILFORD COUNTY

August 3, 1989

Mr. Kermit R. Simmons
1918 Trosper Road
Greensboro, North Carolina 27405

CERTIFIED

RE: SIMMONS DEMOLITION LANDFILL
GRADING PERMIT #660

Dear Mr. Simmons:

An erosion control inspection was made at Simmons Demolition Landfill by the Department of Planning and Development on July 26, 1989 to check for compliance with the Guilford County Soil Erosion and Sedimentation Control Ordinance. Your project is currently in violation of Section 7 (ground cover requirements) and Section 19 (grading not according to plan)

The following corrections are needed to bring this project into compliance with the County Ordinance:

1. Bare areas near the front of the site that were disturbed not in accordance with the erosion control plan must be prepared, seeded, mulched, fertilized, and tacked sufficient to restrain erosion.
2. Demolition debris is being pushed down the back slope of the property and closer to the pipe line. No more material is to be pushed towards the utility easement. Work needed on slope to start the stabilization process.

The corrections are to be completed by August 15, 1989. Failure to comply by the deadline will result in a civil penalty of \$100.00 per day being instigated against you starting on August 16, 1989. This procedure is provided for by North Carolina General Statute #113A-64 (copy attached). Grading Permit #660 will be revoked. To prevent the penalty from being instigated and the permit being revoked, please complete all corrections by the deadline. In case of adverse weather conditions call my office to arrange a meeting on-site, (373-3390).

Sincerely,

PLANNING & DEVELOPMENT

A handwritten signature in cursive script that reads "Jamie Blue".

Jamie Blue
Soil Technician

Attachments

0149.BDS



Permit No. 41-87-3

Date Issued: 12-04-87

North Carolina Department of Human Resources

North Central Regional Office • 310 East Third Street • Winston-Salem, N. C. 27101

James G. Martin, Governor

SOLID AND HAZARDOUS WASTE MANAGEMENT BRANCH

DEMOLITION LANDFILL PERMIT

K. R. Simmons is hereby issued

a permit to operate a Demolition Landfill

located 1918 Trooper Road , Greensboro, NC

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 on the below described property.

Tax Map Number ACL 354-722-3 & 7

County of Guilford - North Carolina

Thomas F. Owens

Thomas F. Owens, R.S., Director
Guilford County Department of
Public Health
Division of Environmental Health



BK3651PG0960



North Carolina Department of Human Resources

North Central Regional Office • 310 East Third Street • Winston-Salem, N. C. 27101

James G. Martin, Governor

CERTIFIED COPY OF DEMOLITION LANDFILL PERMIT

I do hereby certify that the attached PERMIT is an exact and true copy of Permit No. 41-87-3.

Thomas F. Owens

Thomas F. Owens, R.S., Director
Guilford County Department of Public Health
Division of Environmental Health

North Carolina

Guilford County

I, Lee K. Black, a Notary Public of said County and State, do hereby certify that Thomas F. Owens personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 4th day of December, 1987.

(official seal)

Lee K. Black
Notary Public

My commission expires 9-20-, 1989.

PERMIT NO. 41-87-3

DATE ISSUED: 12-04-87

SOLID AND HAZARDOUS WASTE MANAGEMENT BRANCH
DEMOLITION LANDFILL PERMIT

Conditions of Permit:

1. This permit may be subject to review at an administrative hearing upon petition of anyone whose legal rights, privileges, and duties may have been affected by the issuance thereof.
2. This permit shall not be effective unless the certified copy is filed in the Register of Deeds Office, in the granter index under the name of the owner of the land in the county or counties in which the land is located. After recordation, the certified copy shall be returned to the Guilford County Division of Environmental Health and shall have indicated on it the page and book number, date of recordation and registrar's seal.
3. The following requirements shall be met prior to receiving solid waste at the site;
 - A. Site inspection made by a representative of the Division of Health Services.
 - B. This facility shall conform to the operating conditions as set forth by the Guilford County Division of Environmental Health.
4. This site is permitted to receive the following materials:
Uncontaminated soil, stumps, brush, concrete, bricks, wood, demolition debris

*NO LIQUID OR HAZARDOUS WASTE WILL BE ACCEPTED.
5. The site shall meet the Closure Requirements set forth by the Guilford County Division of Environmental Health and the Guilford County Planning Department.
6. The permit will be reviewed annually and may be revoked if the operational conditions are not met. The operating permit may also be revoked whenever conditions or practices exist which pose an imminent and immediate threat to public health or the environment.
7. If a violation is recorded on two consecutive inspections, this could result in a request for penalty assessment from the North Carolina Solid and Hazardous Waste Management Branch.

/hn

BORUM & ASSOCIATES, INC.

ENGINEERS — PLANNERS — SURVEYORS

405-D PARKWAY

GREENSBORO, N. C. 27401

MAILING ADDRESS:

P. O. BOX 14215

GREENSBORO, N. C. 27415-4215

October 8, 1987

TELEPHONE 275-0471

272-3115

AREA CODE 919

Guilford County Dept. of Public Health
Division of Environmental Health
301 North Eugene Street
P.O. Box 3508
Greensboro, N.C. 27401

Attn: Mr. Scott Readling, R.S.

Re: K.R. Simmons Private Demolition Landfill

Dear Mr. Readling:

Attached are ten (10) copies of the plan of the demolition landfill on Trosper Road, owned by Mr. K.R. Simmons. Please schedule this landfill for approval as soon as possible. The permit application will be signed by Mr. Simmons and forwarded to your office as soon as possible.

Should you need any additional information, please contact me.

Very truly yours,

BORUM & ASSOCIATES, INC.

Dan H. Purcell

Dan Purcell

DHP/cc

Encls.

cc: Mr. Bill Patton
Westminster Co.

CHECK LIST FOR PERMIT
APPLICATION REQUIREMENTS

- Tax Map accurately showing property owner.
- Aerial photo showing property..
- Map indicating proposed landfilling limits.
NO EXPANSION PLANNED
- Topographical Map.
- Map of erosion control plan.
LESS THAN 1 ACRE N/A
- Map or statement describing final elevation.
- Statement indicating types of waste material to be accepted on the site.
- Letter from local fire protection agency.
- Letter from Department of Archives & History.
- Letter from N.C. Natural Heritage Program.
- need* → Letter from Guilford County Planning Department in reference to zone.
- Statement indicating how access will be controlled and that proper signs will be posted.
- Statement addressing erosion control & what plans or steps will be implemented to prevent erosion.
- Statement on promoting vegetation growth in finished area.
- Statement of the proposed use of the land upon completion of the fill site.
- A copy of the deed showing the property owner's name.
- Name, address, and phone number of the person responsible for operation and maintenance of the site.



GUILFORD COUNTY DEPARTMENT OF PUBLIC HEALTH
 DEMOLITION LANDFILL APPLICATION

PLEASE TYPE OR PRINT

RETURN TO: Thomas F. Owens, RS
 Guilford County Department of
 Public Health
 Division of Environmental Health
 P.O. Box 3508
 Greensboro, NC 27401
 919/373-3771

TODAY'S DATE: October 3, 1987

NAME OF PROJECT: K.R. Simmons Private Demolition Landfill

LOCATION OF PROJECT: 1918 Trosper Road

ACREAGE TO BE DISTURBED: 2.4 Acres or (104,544 Sq. Feet)

TOTAL ACREAGE IN TRACT: 17.5 Acres

IS THIS PROPERTY IN A DESIGNATED WATERSHED? Yes If so, the project must comply with the county and state regulations.

WHAT TYPE OF UTILITIES WILL GO IN DURING CONSTRUCTION? (Water, Sewer, Power, Telephone, etc.) None

WHAT TYPE OF WASTE MATERIALS WILL BE DISPOSED OF? Stumps, brush, concrete, dirt, wood, bricks, demolition debris

ENGINEER/ARCHITECT/SURVEYOR: Name: Marvin L. Borum & Associates, Inc.

Address: 405-D Parkway

Greensboro, N.C. 27401

Telephone: (919) 275-0471

The Property Owner Does Hereby Agree To Comply With All Applicable State and County Regulations Pertaining To The Development And Operation Of A Demolition Landfill. The Property Owner, Furthermore, Does Hereby Agree To Be Responsible For The Control And Maintenance Of The Site Throughout The Duration Of The Project.

OWNER OF PROPERTY: Name: K.R. Simmons

Address: 1918 Trosper Road

Greensboro, N.C. 27405

Telephone: Home (919) 288-4313

Office ()

Signature: Kenneth R. Simmons
 (Must Be Signed By Property Owner)

DOUGLAS P. DETTOR

ATTORNEY AND COUNSELLOR AT LAW

316 SOUTH EUGENE STREET

P. O. BOX 1617

GREENSBORO, N. C. 27402

TELEPHONES

919/275-0594

919/275-0595

August 20, 1987

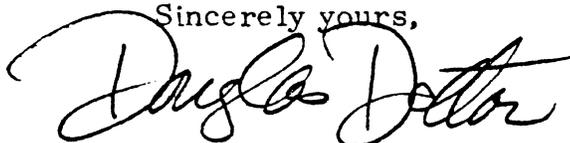
Mr. Roger Bardsley
Guilford County Planning and Development Department
Post Office Box 3427
Greensboro, North Carolina 27402

Re: Kermit Simmons and wife, Molean Simmons - Demolition
Land Fill

Dear Mr. Bardsley:

As you requested, I am enclosing a site plan for the demolition land fill located on the property of Kermit Simmons and Mr. Thomas. This map was prepared by Marvin Borum and Associates, Engineers, at the request of Mr. Simmons and Westminster Company.

Sincerely yours,



Douglas P. Dettor

CC: Mr. Scott Readling

DPD/mm
Enclosures

P.S. to Scott Readling: Dear Scott: To expedite things, I told Mr. Kermit Simmons to bring you a copy of this map in person today, and I assume he's already dropped it off to you. Please let me know if there is anything further that needs to be done by Mr. Simmons. Many thanks for your cooperation.

Doug Dettor

DOUGLAS P. DETTOR

ATTORNEY AND COUNSELLOR AT LAW

316 SOUTH EUGENE STREET

P. O. BOX 1617

GREENSBORO, N. C. 27402

TELEPHONES

919/275-0594

919/275-0595

August 17, 1987

Mr. Scott Readling
Guilford County Department of Public Health
Division of Environmental Health
Post Office Box 3508
Greensboro, North Carolina 27402

Re: Kermit R. Simmons and wife, Molean B. Simmons

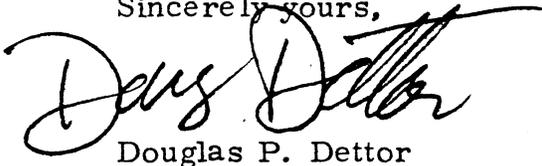
Dear Scott:

I have again talked with Roger Bardsley about Mr. Simmons' property and have today received a letter from him which is addressed to me regarding this property.

The letter shows that a carbon copy was sent to you. For the record, I am sending along the original. If you would send Mr. Simmons' permit to me, I will deliver it to him.

Many thanks for your cooperation.

Sincerely yours,



Douglas P. Dettor

DPD/mm
Enclosure

DOUGLAS P. DETTOR

ATTORNEY AND COUNSELLOR AT LAW

316 SOUTH EUGENE STREET

P. O. BOX 1617

GREENSBORO, N. C. 27402

TELEPHONES

919/275-0594

919/275-0595

July 29, 1987

Mr. Scott Readling
Guilford County Department of Public Health
Division of Environmental Health
Post Office Box 3508
Greensboro, North Carolina 27402

Re: Kermit R. Simmons and wife, Molean B. Simmons

Dear Mr. Readling:

I am enclosing herewith a letter from David Brook, Deputy State Historic Preservation Officer of the North Carolina Department of Cultural Resources, Division of Archives and History.

I still have not received the letter from the Guilford County Planning Department regarding the zoning at the Simmons' property, and as soon as I do receive it, I'll send it along to you immediately.

Many thanks for your cooperation.

Sincerely yours,



Douglas P. Dettor

DPD/mm
Enclosure



North Carolina Department of Cultural Resources

James G. Martin, Governor
Patric Dorsey, Secretary

Division of Archives and History
William S. Price, Jr., Director

July 28, 1987

Mr. Douglas P. Dettor
Attorney and Counsellor at Law
P. O. Box 1617
Greensboro, N.C. 26402

Re: Demolition Landfill, Simmons Property,
Guilford County, ER 88-7034

Dear Mr. Dettor:

Thank you for your letter of July 9, 1987, concerning the above project.

We have conducted a review of the project and are aware of no properties of architectural, historic, or archaeological significance which would be affected by the project. Therefore we have no comment on the project as currently proposed.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act of 1966, the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106, codified at 36 CFR Part 800, and to Executive Order 11593, "Protection and Enhancement of the Cultural Environment."

Thank you for your cooperation and consideration. If you have questions concerning the above comment, please contact Ms. Renee Gledhill-Earley, Environmental Review Coordinator, at 919/733-4763.

Sincerely,

A handwritten signature in cursive script that reads "David Brook".

David Brook, Deputy State
Historic Preservation Officer

DB:slw

DOUGLAS P. DETTOR

ATTORNEY AND COUNSELLOR AT LAW

316 SOUTH EUGENE STREET

P. O. BOX 1617

GREENSBORO, N. C. 27402

TELEPHONES

919/275-0594

919/275-0595

July 22, 1987

Mr. Scott Readling
Guilford County Department of Public Health
Division of Environmental Health
Post Office Box 3508
Greensboro, North Carolina 27401

Re: Kermit R. Simmons and wife, Molean B. Simmons

Dear Mr. Readling:

I am enclosing to you a copy of a letter which I received from Chief G.C. Wilson of the Battleground Fire Department, Inc. and a letter from Charles E. Roe, Coordinator of the North Carolina Natural Heritage Program of the Department of Natural Resources and Community Development, Division of Parks and Recreation of the State of North Carolina in Raleigh, North Carolina.

I am still waiting for a letter from the Guilford County Planning Department stating what the zoning is of Mr. Simmons' property. And I am still waiting for the letter from Ms. Renee Gladhill-Early of the Division of Archives and History in Raleigh stating the demolition landfill site is not a battleground or does not hold any ancient artifacts.

As soon as I have these letters, I'll send them along to you also.

Many, many thanks for your cooperation.

Sincerely yours,



Douglas P. Dettor

DPD/mm
Enclosures

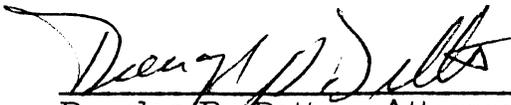
North Carolina in Deed Book 2328, Page 52, and the other from W. H. Morton and wife, Ruby B. Morton, and R. D. Douglas, Trustee, to K. R. Simmons and wife, Molean Simmons, which Deed is recorded in the Office of the Register of Deeds of Guilford County, North Carolina in Deed Book 1211, Page 563. Copies of said Deeds are attached to and made a part of this application and designated as Exhibits 5 and 6. A portion of the property described in the original Deeds has heretofore been conveyed to the city of Greensboro.

11. Upon completion of the filling of the demolition landfill of the applicants, they propose to close and fill the site in accordance with Rule .0502 and after proper seeding, use the same for cattle pasture.

Respectfully submitted, this the 8th day of July, 1987.


Kermit R. Simmons


Molean B. Simmons


Douglas P. Dettor, Attorney for applicants
316 South Eugene Street
Post Office Box 1617
Greensboro, North Carolina 27402
Telephone: (919) 275-0594

NORTH CAROLINA

GUILFORD COUNTY

APPLICATION OF KERMIT R. SIMMONS AND WIFE, MOLEAN
B. SIMMONS, FOR PERMIT FOR DEMOLITION LANDFILL

Kermit R. Simmons and wife, Molean B. Simmons, hereby make application to the Guilford County Department of Public Health, Division of Environmental Health, for a permit for a demolition landfill, and in support of said application submit the following:

1. (a) Four copies of a map of the property in question, showing the area within one mile of the site. Said map is Guilford County Tax Map ACL-6-354 and is designated Exhibit 1 and attached to and made a part of this application. Said map shows all roads, water courses and bodies of water in the area.

(b) Four copies of a topographical map showing all water courses, roads, lakes and the exact topography of the area, which map is on record in the Guilford County, North Carolina Planning Department and is designated Exhibit 2 and attached to and made a part of this application.

(c) Four copies of a map of the property of the applicants on which the demolition landfill is proposed, showing the houses, Trooper Road which adjoins the property, and an access road leading to the dump site. This map is designated Exhibit 3 and is attached to and made a part of this application.

(d) A letter from the Guilford County, North Carolina Planning and Zoning Department indicating the zoning status of the proposed landfill area and designated Exhibit 4 and is attached to and made a part of this application.

2. The applicants propose to use the landfill site for the disposal only of tree stumps, tree laps, wood, leaves, concrete, masonry, stone and uncontaminated dirt.

3. The plot plan of the proposed site, Exhibit 3 attached hereto, indicates the disposal site. The applicants are present at all times and can absolutely control the ingress and egress to the actual dump site and thereby control the types of materials which are dumped, and can therefore prohibit the dumping of any materials other than those proposed herein.

4. Proper signs will be posted at all entrances to the property and when the applicants are not personally present, gates and chains will be erected to prohibit entrance to the dump site.

5. As the dump site is filled in, the final slope of the landfill shall be graded to 3 to 1 unless other engineered plans are approved by the permitting agency. Erosion control features will be installed where needed in the form of brush and log barriers and berms and dikes. As areas are finished, the surfaces will be seeded with proper grasses.

6. The applicants propose to operate said demolition landfill in full compliance with the North Carolina Solid Waste Management Rules for Operating Demolition Landfills.

7. The applicants represent to the Division of Environmental Health that no dumping will be done on said site until proper approval is obtained from the Guilford County Department of Public Health, Division of Environmental Health.

8. The full names and address of the applicants are:

Kermit R. Simmons and wife, Molean B. Simmons
1918 Trosper Road
Greensboro, North Carolina
Telephone number 288-4313.

9. Kermit R. Simmons is the person responsible for the operation and maintenance of the site. The applicants reside on the premises.

10. The site is composed of approximately 9.5 acres. It was acquired by the applicants in two Deeds, one from W. H. Morton and wife, Ruby B. Morton, to Kermit R. Simmons and wife, Molean B. Simmons, which Deed is recorded in the Office of the Register of Deeds of Guilford County,

ADDENDUM TO THE APPLICATION OF KERMIT R. SIMMONS
AND WIFE, MOLEAN B. SIMMONS, FOR A PERMIT FOR A
DEMOLITION LANDFILL:

At the end of Paragraph 1, add the following:

1. (e) As of the filing of this Application, the letter from the Guilford County Planning and Zoning Department was not available, but had been applied for and will be available immediately. The applicants are informed and believe that their property is zoned as follows:

From Trosper Road, the road on which this property fronts, back north to a distance of approximately 200 feet, their property is zoned Residential. The entire remainder of their property is zoned A1 Agricultural. The applicants have heretofore been operating a demolition landfill and it is presently permitted under the "Grandfather Clause."

BATTLEGROUND FIRE DEPARTMENT, INC.
4417 LAWNDALE DRIVE
GREENSBORO, NORTH CAROLINA 27408
(919) 288-3567

Chief
Gary C. Wilson

July 20, 1987

To Whom It May Concern,

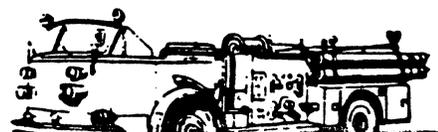
This Letter is in reference to the Operating Conditions for a Demolition Landfill. The Battleground Fire Department was made aware that a landfill was being operated, by Mr. Kermit Simmons, at 1918 Trospen Road, Greensboro, North Carolina. The Battleground Fire Department will answer fire and rescue calls at the site when needed.

If you have any questions, or if I can be of any further assistance, please feel free to contact me.

Thank You,

G.C. Wilson

G.C. Wilson/Chief





State of North Carolina
Department of Natural Resources and Community Development
Division of Parks and Recreation
512 North Salisbury Street • Raleigh, North Carolina 27611

James G. Martin, Governor
S. Thomas Rhodes, Secretary

July 14, 1987

Dr. William W. Davis
Director

Mr. Douglas P. Dettor
Attorney
316 South Eugene Street
Post Office Box 1617
Greensboro, North Carolina 27402

Dear Mr. Dettor:

I respond to your request for review of the North Carolina Natural Heritage program's inventory data regarding the presence of special biological resources and natural areas in the vicinity of the proposed location of a demolition landfill on the Simmons tract in Guilford County.

The Natural Heritage Program is responsible for maintaining the state's information data bank on reported locations of rare and endangered species, other special wildlife habitat, and significant natural areas. Unfortunately, little biological resources data is available for Guilford County. At this time, we have no data for special natural areas or biological resources in the near vicinity of the proposed landfill site. The nearest record of special resources are accounts of nesting osprey on Lake Townsend.

Although we have no record of special biological resources in the vicinity of the proposed landfill, we have no indication that a professional survey of biological resources has ever been conducted. Primary interest would be the possibility for interesting natural forest habitat to exist on the steep north slopes near the landfill site. A site survey by a qualified professional biologist could determine if any exceptional or unusual natural habitats would be affected. We may be able to advise you if your county requires such an examination.

I have enclosed additional information for your interest in the Natural Heritage Program.

Sincerely,

A handwritten signature in cursive script that reads "Charles E. Roe".

Charles E. Roe, Coordinator
NC Natural Heritage Program
CER/tgm
Enclosures

P.O. Box 27687, Raleigh, North Carolina 27611-7687 Telephone 919-733-4181

DOUGLAS P. DETTOR

ATTORNEY AND COUNSELLOR AT LAW

316 SOUTH EUGENE STREET

P. O. BOX 1617

GREENSBORO, N. C. 27402

TELEPHONES

919/275-0594

919/275-0595

July 8, 1987

Mr. Scott Readling
Guilford County Department of Public Health
Division of Environmental Health
301 North Eugene Street
Greensboro, North Carolina 27401

Dear Mr. Readling:

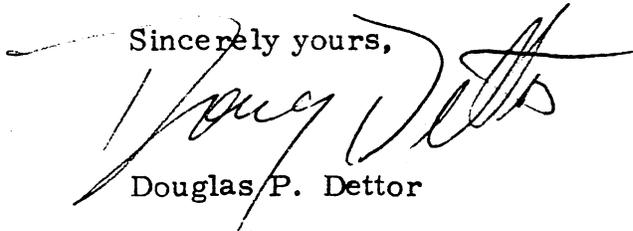
I am herewith filing with the Guilford County Department of Public Health application of Kermit R. Simmons and wife, Molean B. Simmons, for a permit for a demolition landfill at the site where they have been operating a landfill for some time.

I have requested the Guilford County Department of Planning and Zoning for a letter indicating the zoning status of the proposed landfill area, however, I have not received the letter from them as of the filing of this application. I thought the better part of wisdom would be to go ahead and file the application now and submit the Planning Department's letter to you as soon as it is available, since it is common knowledge and a matter of public record that the zoning of the actual demolition landfill site is A1 Agricultural and the front two-hundred feet of the Simmons' property which fronts on Trosper Road is zoned Residential.

If we need to file anything further with you, please contact me immediately and we will do whatever is necessary.

Many thanks for your cooperation.

Sincerely yours,



Douglas P. Dettor

DPD/mm
Enclosures



GUILFORD COUNTY

Mr. Douglas Dettor
Attorney at Law
316 S. Eugene St.
Greensboro, NC 27402

Dear Mr. Dettor:

On August 11 I inspected Mr. Simmons' property on Trooper Rd. His property has been used as a landfill in the past, and according to Mr. Simmons he would like to continue filling until the site is relatively level.

The Simmons property is located in a Watershed Critical Area (WCA) close to that part of Reedy Fork Creek which runs between Lake Brandt and Lake Townsend. Although a new landfill could not be established in the WCA, existing landfills may continue to operate provided a Site Plan is submitted and approved by the Planning and Development Department and by the Health Department.

I enclose a brochure, "Setting Up a Construction and Demolition Debris Landfill" for use by you and your client. Mr. Simmons stated that he has already had his property surveyed. Perhaps the same surveyor could assist in developing a Site Plan for the fill.

If you have any questions, please give me a call.

Sincerely,

Roger W. Bardsley

cc Janet Russell
Scott Readling

8. Slopes 0 to 1 to 1

2 to 1

3 to 1

9. Coverage All

Part

60 Estimation of percentage covered

Landfill violations:

- ① Operational plan approved ② Site only accept those solid waste which are approved ③ Solid waste restricted to the smallest area feasible ④ Solid waste covered ⑤ Adequate slopes seeded to prevent erosion ⑥ The site shall be adequately secured, An attendant shall be on duty at all times
- ⑦ Equipment shall be provided to control accidental fires or arrangements made with locals.

Remarks and summary:

EXTREME CASE DUMP MANY DIFFERENT AREAS OF
DUMPING APPROXIMATELY 7-8 ACRES AND ACTIVE
APP. 5 TRUCK PER HOUR. SLOPES UNMANAGEABLE
VERY STEEP. WILL BE REQUIRE TO RECEIVE A GRADING
PERMIT FROM PLANNING OFFICE.

Scott Reading
Toxic and Health Hazards Specialist

Parcel 3 - 9.89 ac.
" " 7 - 3 ac.
" " 2 - 17.11 ac.

6-29-87 inspection made at site no visible signs of improvement
no permit obtained still active will follow up with letter.

5/21/87



GUILFORD COUNTY
DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH

May 20, 1987

Mr. Kermit R. Simmons
1918 Trospen Road
Greensboro, NC 27405

Dear Sir:

A visit was made by our department to your property at Trospen Road, Greensboro, N.C. Tax Map 6-354, Block 722, Parcels 3 & 7 on May 19, 1987, in order to determine compliance with the North Carolina Solid Waste Management Rules for Demolition Landfills.

The use of this site for dumping without a permit is a violation of Sections .0506 and .0507.

In order to come into compliance, you must either apply for a permit to operate a demolition landfill or close the fill site in accordance with Rule .0502.

You must notify this office of your intentions within ten (10) days. If you have any questions regarding your compliance, you may contact us at 373-3771 between 8:00 a.m. and 5:00 Monday through Friday.

Sincerely,

Scott Readling, R.S.
Toxic Health Hazards Specialist

Enclosures: Application Requirements
Operational Requirements

/hn

301 North Eugene Street
P.O. Box 3508
Greensboro, N. C. 27401
Phone: (919) 373-3771



GUILFORD COUNTY
DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH

The following are a list of violations of the North Carolina Solid Waste Management Rules 10 NCAC 10G .0507, which exist at your site.

1. Operational plans shall be approved and followed as specified for the site;
2. A site shall only accept those solid wastes which it is permitted to receive;
3. Solid waste shall be restricted to the smallest area feasible and compacted as densely as practical into cells;
4. Solid waste shall be covered;
5. The area shall be covered with adequate soil cover, adequately sloped to allow surface water runoff in a controlled manner without excessive on-site erosion and off-site siltation, and seeded with native grasses or other suitable vegetation.
6. The site shall be adequately secured;
7. An attendant shall be on duty at the site at all times while the demolition dump is open;
8. Equipment shall be provided to control accidental fires or arrangements shall be made with the local fire protection agency to immediately provide fire-fighting service when needed.

301 North Eugene Street
P.O. Box 3508
Greensboro, N. C. 27401
Phone: (919) 373-3771

DEMOLITION LANDFILL SURVEY

WILLIAM E. THOMAS, 2003 Trooper Rd. Greensboro 27405

Owner: KERMIT R. SIMMONS Date of Survey 5-19-87

Owner's Address: 1918 TROOPER RD. GREENSBORO 27405

Phone: (919) 288-4313

Landfill Location NORTH ON LAWNDALE TAKE RIGHT AT
LAKE BRANT ROAD TAKE TROOPER ROAD LOCATED BESIDE SR. 2335

OWNER'S HOUSE AT 1918 TROOPER RD.

Map 6-354 Block 722 Parcel 3, 7 (2)

Township CENTER GROVE

Information

1. Operation: Active Inactive

2. Security: Gate Fences Other NONE

3. Road Access: yes no

4. Grading Permit NO

5. Type of Waste on Site

- | | |
|---|---|
| <input type="checkbox"/> Chemicals | <input type="checkbox"/> Drums, Tanks |
| <input checked="" type="checkbox"/> Vegetation Debris | <input checked="" type="checkbox"/> Household Garbage |
| <input checked="" type="checkbox"/> Building Materials (wood, plastic, vinyl) | <input checked="" type="checkbox"/> Soil |
| <input checked="" type="checkbox"/> Bricks, concrete, glass | <input type="checkbox"/> Sludge |
| <input type="checkbox"/> Metal | |

Other _____

6. Erosion Control yes no

Describe: _____

7. Drainage Easements & Improvements: yes no

Describe: Easement backside of property unknown
type GAS LINE

PHONE # _____

LOCATION Teospe Rd

① OPERATION; ACTIVE INACTIVE

② SECURITY; FENCES HEDGES GATES

③ ROAD ACCESS; YES NO

④ GRADING PERMIT; YES, NO ?

⑤ TYPE OF WASTE PRESENT

CHEMICAL

DRUM, TANKS, ETC

VEGETATION DEBRIS

GARBAGE

BUILDING MATERIALS (WOOD, PLASTIC, VINYL)

BRICKS, CONCRETE, PLASTER, GLASS

SOIL

SLUDGE

METAL

⑦ EROSION CONTROL YES NO

IF YES, TYPE
IF TYPE: _____

⑧ DRAINAGE BASINMENTS & IMPOUNDMENTS YES NO IF YES, WHAT

⑨ SLOPES 0 to 1 to 1

2 to 1

3 to 1

⑩ COVER ALL

PART

IF PART, WHAT?

8075

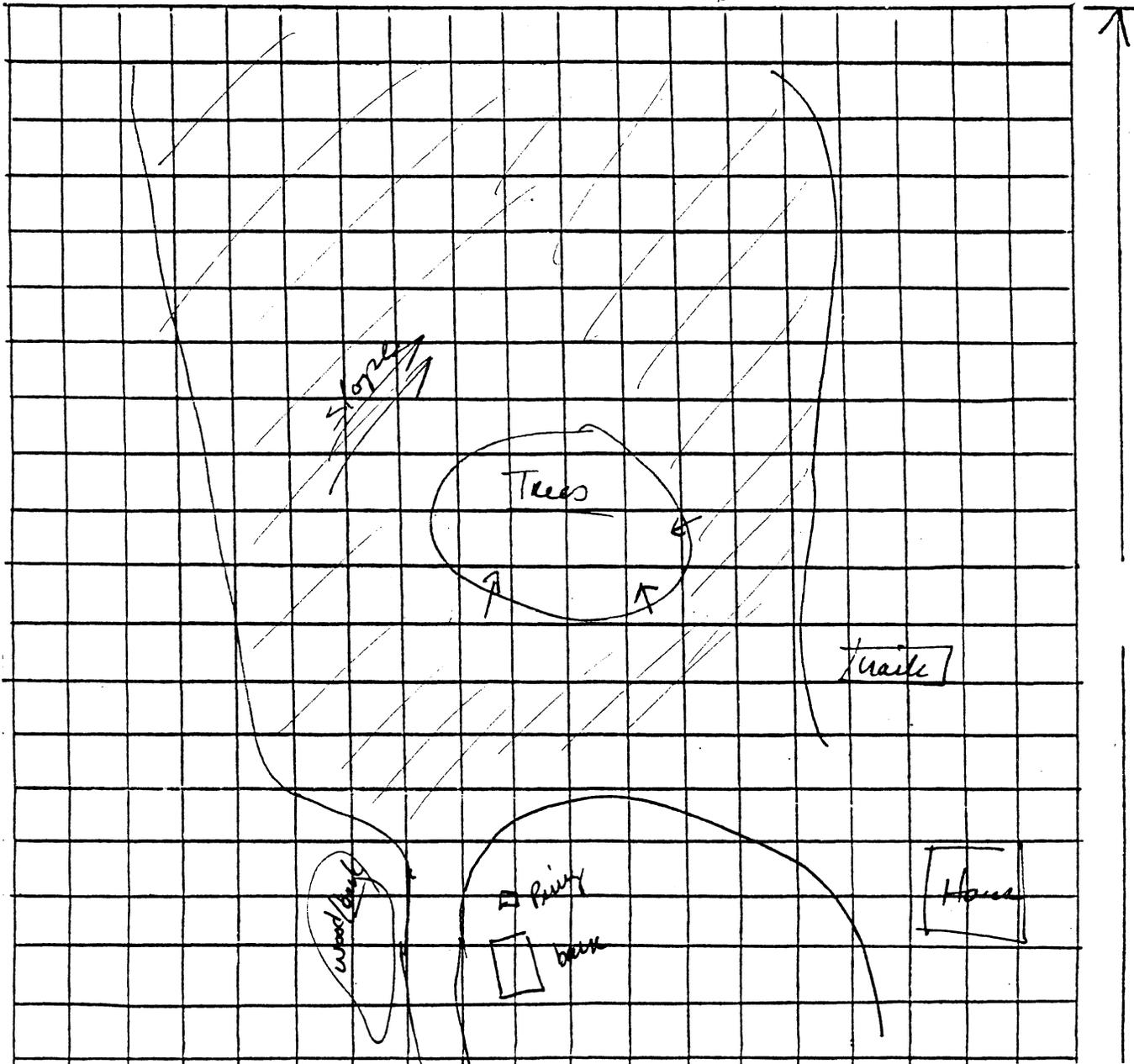
REMARKS

Muddy Soil + Vegetation + brush debris

[Handwritten Signature]

WASTE SPECIALIST

DATE 8/13/84



ACL

354-7023

1211e563

W. H. Morton

NORTH CAROLINA
GUILFORD COUNTY

THIS DEED Made and entered into this the 17 day of March, 1948,
by and between W. H. Morton and wife, Ruby B. Morton, and R. D. Douglas,
acting as trustee as hereinafter stated, parties of the first part, to
K. R. Simmons and wife, Molean Simmons, parties of the second part, all of
the above named County and State,

W I T H E S S E T H:

That whereas W. H. Morton and wife, Ruby B. Morton heretofore executed to
R. D. Douglas as trustee a certain deed of trust dated September 27th 1947,
and recorded in Book 1196 at Page 489, in the Office of the Register of
Deeds of Guilford County, North Carolina, to secure a certain note therein
set out, due and payable to the Home Federal Savings and Loan Association;
and whereas, said W. H. Morton and wife, Ruby B. Morton, have requested
the Association to release from the lien of said deed of trust so much of
the land therein described as hereinafter described and the Association has
agreed so to do and has requested said trustee to execute such release; and
whereas said deed of trust authorizes said trustee to release any part of
the lands therein conveyed from the operation of the said deed of trust,
without the joinder in such release of the said Association or its officers.

NOW THEREFORE, R. D. Douglas, trustee in the deed of trust herein
referred to, in consideration of One Dollar (\$1.00) and other valuable con-
siderations to him paid, has remise and released and by these presents does
remise, release and forever quitclaim from any lien or claim by reason of
the execution of the deed of trust recorded in Book 1196 at Page 489, unto
the said parties of the second part, their heirs and assigns, the tracts
or parcels of land herein fully described; and the said W. H. Morton and wife,
Ruby B. Morton, in consideration of the sum of Ten Dollars (\$10.00) and other

MAR 21 1948
RECORDED
INDEXED
MAR 21 1948

valuable considerations to them paid by the said parties of the second part, the receipt of which is hereby acknowledged, have bargained and sold and by these presents do bargain, sell and convey unto the said parties of the second part, their heirs and assigns, all those tracts or parcels of land lying and being in Center Grove Township, Guilford County, North Carolina, and more particularly described as follows:

Beginning at an iron stake on west side of sand clay road, said point being the southwest corner of the said lot herein described and running nearly east 310 feet with the northern margin of said road; thence in a southwestern direction 2833 feet to an iron stake on the north bank of Reedy Fork Creek; thence south 83 deg. 22 min. west 689.8 feet to an iron stake, said point being the northwest corner of the lot herein described; thence with the line of the city property south 8 deg. 3 min. east 800 feet to a bend in said line, corner of lot 64; thence south 37 deg. east with line of lot 64, 2537 feet to said road, the point of beginning, containing 39.1 acres, more or less, same being lot 63 in the Brandt Park Subdivision as recorded in Plat Book 9, Page 39.

30-34

Save and excepting from the above described tract of land the following:

Beginning at an iron stake on the west side of the sand clay road, said point being a dividing line between lots 63 and 64 of said subdivision; and running thence in a northern direction with the dividing line between lots 63 and 64, about 600 feet to an iron stake in the line between lots 63 and 64; thence north 52 deg. 00 min. west 59 feet to an iron pipe; thence south 38 deg. 16 min. east 604.4 feet to an iron pipe in the northwestern margin of a sand clay road; thence in a western direction with the margin of the sand clay road, 59 feet, more or less, to the point of Beginning.

35-

The above property was conveyed to grantors by C. C. Wimbish and wife, Alda M. Wimbish. See Book 1101, Page 162.

TO HAVE AND TO HOLD the aforesaid tracts or parcels of land with all privileges and appurtenances thereunto belonging to them the said parties, of the second part, their heirs and assigns forever, free and discharged from the lien of the deed of trust recorded in Book 1196 at Page 489, if the Office of the Register of Deeds of Guilford County, North Carolina, as hereinabove referred to.

Mailed to: Kermit R. Simmons, Rt. #2, Box 450, Greensboro, NC 71 811

This Deed Made this 17 day of April A.D. 1967 by N. H. Morton and his wife Ruby B. Morton

ACL
354-722-
232805

of Guilford County and State of North Carolina, part 1ea. of the first part, to Kermit R. Simmons and wife, Molean B. Simmons of Guilford County, and State of North Carolina, party of the second part. Witnesseth, That the said part 1ea. of the first part, in consideration of (\$10.00) Ten Dollars and other valuable considerations, have paid to them paid by the said party of the second part, the receipt of which is hereby acknowledged, have bargained and sold and by these presents do bargain, sell and convey unto the said party of the second part and their heirs a tract or parcel of land in the County of Guilford and State of North Carolina, in Center Grove Township, adjoining the lands of and others, and bounded as follows:

TRACT 1: BEGINNING at an iron stake on the west side of the said Clay Road, said point being a dividing line between Lots 63 and 64 of said subdivision; and running thence in a northern direction with the dividing line between Lots 63 and 64, about 600 feet to an iron stake in the line between Lots 63 and 64; thence north 52° 00' east 59 feet to an iron pipe; thence south 38° 16' east 604.4 feet to an iron pipe in the northwestern margin of a Sand Clay Road; thence in a western direction with the margin of the Sand Clay Road 59 feet, more or less, to the point of BEGINNING, being part of Lot 63 in the Brandt Park Subdivision.

TRACT 2: BEGINNING at an iron stake on the west side of the Sand Clay Road, said point being the dividing line between Lots 63 and 64, and running thence in a northern direction with the Dividing line between Lots 63 and 64, about 600 feet to an iron stake in the line of Lots 63 and 64; thence in a southwest direction 143 feet, a new line to an iron stake; thence a new line parallel with the first line 730 feet to an iron stake, on the west side of the road; thence in an eastern direction with the margin of said road, 151 feet to the BEGINNING, containing 2 acres, more or less, and being a portion of Lot 64, taken from the south end and east side of Lot 64, as described in Brandt Park Subdivision, as recorded in Plat Book 9 at Page 39.

The above land was conveyed to grantor by Ada M. Wimbish (widow) See Book No. 1101 Page 162 etc. To have and to hold the aforesaid tract or parcel of land and all privileges and appurtenances thereunto belonging to the said party of the second part and their heirs and assigns forever.

And the said parties of the first part do covenant that they are seized of said premises in fee and have the right to convey the same in fee simple; that the same are free from incumbrances; and that they will warrant and defend the said title to the same against the claims of all persons whatsoever.

In Testimony Whereof the said parties of the first part have hereunto set their hand and seal, the day and year first above written.

WITNESS: Ruby B. Morton [SEAL] N. H. Morton [SEAL]

STATE OF NORTH CAROLINA—GUILFORD COUNTY Elizabeth Tyler Notary Public of said County, do hereby certify that N. H. Morton and his wife Ruby B. Morton grantors, personally appeared before me this day and acknowledged the execution of the foregoing deed of conveyance. Witness my hand and seal, this the 14th day of April 1967. My Commission expires Sept. 24 1967. Elizabeth Tyler, N. P. [SEAL]

STATE OF NORTH CAROLINA—GUILFORD COUNTY of said County, do hereby certify that grantor, personally appeared before me this day and acknowledged the execution of the foregoing deed. Witness my hand and seal, this the day of 19 My commission expires 19 N. P. [SEAL]

STATE OF NORTH CAROLINA—GUILFORD COUNTY The foregoing certificate of Elizabeth Tyler, a. n. P. of said County, is adjudged to be correct. In the said deed and this certificate registered. Witness my hand and seal, this the APR 17 1967 day

Filed for registration on the day of 19 at o'clock M., and duly recorded in the office of the Register of Deeds in Guilford County, N. C. in Book 222 Page 52 Etc. APR 17 1967 MARK STEWART, Register of Deeds, Guilford County, N. C.



By Assistant Register of Deeds

This Deed Made this the 17 day of April A.D., 1967 by W. H. Morton and his wife Ruby B. Morton

of Guilford County and State of North Carolina, part les of the first part, to Kermit R. Simmons and wife, Molean B. Simmons of Guilford County, and State of North Carolina, party of the second part, Witnesseth, That the said part les of the first part, in consideration of (\$10.00) Ten Dollars and other valuable considerations to them paid by the said party of the second part, the receipt of which is hereby acknowledged, have bargained and sold and by these presents do bargain, sell and convey unto the said party of the second part and their heirs a tract or parcel of land in the County of Guilford and State of North Carolina, in Center Grove Township, adjoining the lands of and others, and bounded as follows:

TRACT 1: BEGINNING at an iron stake on the west side of the said Clay Road, said point being a dividing line between Lots 63 and 64 of said subdivision; and running thence in a northern direction with the dividing line between Lots 63 and 64, about 600 feet to an iron stake in the line between Lots 63 and 64; thence north 52° 00' east 59 feet to an iron pipe; thence south 38° 16' east 604.4 feet to an iron pipe in the northwestern margin of a Sand Clay Road; thence in a western direction with the margin of the Sand Clay Road 59 feet, more or less, to the point of BEGINNING, being part of Lot 63 in the Brandt Park Subdivision.

TRACT 2: BEGINNING at an iron stake on the west side of the Sand Clay Road, said point being the dividing line between Lots 63 and 64, and running thence in a northern direction with the Dividing line between Lots 63 and 64, about 600 feet to an iron stake in the line of Lots 63 and 64; thence in a southwest direction 143 feet, a new line to an iron stake; thence a new line parallel with the first line 730 feet to an iron stake, on the west side of the road thence in an eastern direction with the margin of said road, 151 feet to the BEGINNING, containing 2 acres, more or less, and being a portion of Lot 64, taken from the south end and east side of Lot 64, as described in Brandt Park Subdivision, as recorded in Plat Book 9 at Page 39.

5060

2175 195 00001.00 F
2175 195 00000.25 F

The above land was conveyed to grantor by Ada M. Wimbish (widow) See Book No. 1101, Page 162, etc. To have and in hold the aforesaid tract or parcel of land and all privileges and appurtenances thereunto belonging to the said party of the second part and their heirs and assigns forever.

And the said part les of the first part do covenant that they are seized of said premises in fee and have the right to convey the same in fee simple; that the same are free from incumbrances; and that they will warrant and defend the said title to the same against the claims of all persons whatsoever.

In Testimony Whereof the said part les of the first part have hereunto set their hand and seal the day and year first above written.

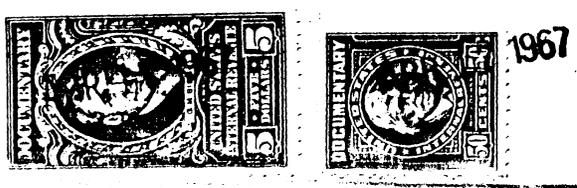
WITNESS: [Signatures of Ruby B. Morton and others with seals]

STATE OF NORTH CAROLINA—GUILFORD COUNTY
I, Elizabeth Tyler, Notary Public of said County, do hereby certify that W. H. Morton and his wife Ruby B. Morton grantors, personally appeared before me this day and acknowledged the execution of the foregoing deed of conveyance. Witness my hand and seal; this the 14 day of April, 1967. My commission expires Sept 24, 1967. Elizabeth Tyler, N. P. [SEAL]

STATE OF NORTH CAROLINA—GUILFORD COUNTY
I, _____ of said County, do hereby certify that _____ grantor, personally appeared before me this day and acknowledged the execution of the foregoing deed. Witness my hand and seal, this the _____ day of _____, 19____. My commission expires _____, 19____. N. P. [SEAL]

STATE OF NORTH CAROLINA—GUILFORD COUNTY
The foregoing certificate of Elizabeth Tyler, N. P. of said County, is adjudged to be correct. Let the said deed and this certificate be registered. Witness my hand and seal, this the APR 17 1967 day of _____, 19____.

Filed for registration on the _____ day of _____, 19____, at _____ o'clock _____ M., and duly recorded in the office of the Register of Deeds in Guilford County, N. C., in Book _____ Page 52, Etc. APR 17 4:11 PM '67 MARK STEWART, Register of Deeds, Guilford County, N. C.



By _____ Assistant Register of Deeds
EXHIBIT NO. 5

9824
NORTH CAROLINA

GUILFORD COUNTY

THIS DEED Made and entered into this the 17 day of March, 1948,

by and between W. H. Morton and wife, Ruby B. Morton, and R. D. Douglas,

~~acting as trustee as herein stated, parties of the first part,~~
K. R. Simmons and wife, Molean Simmons, parties of the second part, all of
the above named County and State,

W I T N E S S E T H:

That whereas W. H. Morton and wife, Ruby B. Morton heretofore executed to
R. D. Douglas as trustee a certain deed of trust dated September 27, 1947,
and recorded in Book 1196 at Page 489, in the Office of the Register of
Deeds of Guilford County, North Carolina, to secure a certain note therein
set out, due and payable to the Home Federal Savings and Loan Association;

and whereas, said W. H. Morton and wife, Ruby B. Morton, have requested
the Association to release from the lien of said deed of trust so much of
~~the land therein described as herein after described and the Association has~~

agreed so to do and has requested said trustee to execute such release; and
whereas said deed of trust authorizes said trustee to release any part of
the lands therein conveyed from the operation of the said deed of trust
without the joinder in such release of the said Association or its officers.

NOW THEREFORE, R. D. Douglas, trustee in the deed of trust herein
referred to, in consideration of One Dollar (\$1.00) and other valuable con-
siderations to him paid, has remises and released and by these presents does
remise, release and forever quitclaim from any lien or claim by reason of
the execution of the deed of trust recorded in Book 1196 at Page 489, unto
the said parties of the second part, their heirs and assigns, the tracts
or parcels of land herein fully described; and the said W. H. Morton and wife,
Ruby B. Morton, in consideration of the sum of Ten Dollars (\$10.00) and other



valuable considerations to them paid by the said parties of the second part, the receipt of which is hereby acknowledged, have bargained and sold and by these presents do bargain, sell and convey unto the said parties of the second part, their heirs and assigns, all those tracts or parcels of land lying and being in Center Grove Township, Guilford County, North Carolina, and more

particularly described as follows:

Beginning at an iron stake on west side of sand clay road, said point being the southwest corner of the said lot herein described and running nearly east 310 feet with the northern margin of said road; thence in a southwestern direction 2833 feet to an iron stake on the north bank of Reedy Fork Creek; thence south 83 deg. 22 min. west 689.8 feet to an iron stake, said point being the northwest corner of the lot herein described; thence with the line of the city property south 8 deg. 3 min. east 800 feet to a bend in said line, corner of lot 64; thence south 37 deg. east with line of lot 64, 2537 feet to said road, the point of beginning, containing 39.1 acres, more or less, same being lot 63 in the Brandt Park Subdivision as recorded in Plat Book 9, Page 39.

Save and excepting from the above described tract of land the following:

Beginning at an iron stake on the west side of the sand clay road, said point being a dividing line between lots 63 and 64 of said subdivision; and running thence in a northern direction with the dividing line between lots 63 and 64, about 600 feet to an iron stake in the line between lots 63 and 64; thence north 52 deg. 00 min. west 59 feet to an iron pipe; thence south 38 deg. 16 min. east 604.4 feet to an iron pipe in the northwestern margin of a sand clay road; thence in a western direction with the margin of the sand clay road, 59 feet, more or less, to the point of Beginning.

The above property was conveyed to grantors by G. C. Wimbish and wife, Alda M. Wimbish. See Book 1101, Page 162.

TO HAVE AND TO HOLD the aforesaid tracts or parcels of land with all privileges and appurtenances thereunto belonging to them the said parties of the second part, their heirs and assigns forever, free and discharged from the lien of the deed of trust recorded in Book 1196 at Page 489, in the Office of the Register of Deeds of Guilford County, North Carolina, as hereinabove referred to.

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But it is understood and agreed that the release by R. D. Douglas, trustee, shall apply only to so much of said lands as are herein expressly described and conveyed, and that as to the remainder of said lands, said deed of trust shall be and remain in full force and effect.

And the said W. H. Morton and wife, Ruby E. Morton, do covenant that they are seized of the premises in fee and that they have the right to convey the same in fee simple; that the same are free from incumbrances; and that they will warrant and defend the title to the same against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF the said W. H. Morton and wife, Ruby R. Morton, and R. D. Douglas, acting as trustee, have hereunto set their hands and seals the day and year first above written.

W. H. Morton (SEAL)
Ruby E. Morton (SEAL)
R. D. Douglas (SEAL)

NORTH CAROLINA - Guilford County

I, Margaret K. Russell, a Notary Public of said County, do hereby certify that W. H. Morton and wife, Ruby E. Morton, grantors, personally appeared before me this day and acknowledged the execution of the foregoing deed of conveyance.

Witness my hand and seal this the 17th day of March, 1948.

Margaret K. Russell
Notary Public



NORTH CAROLINA - Guilford County

I, Lucy T. Duffey, a Notary Public of said County, do hereby certify that R. D. Douglas, trustee, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and seal this 19 day of March, 1948.

Lucy T. Duffey
Notary Public

