

1

WAKE Co.

92312001

March 12, 2001

ITEM # 6

Item Title: Request for Grant of Landfill Franchise for Material Recovery, LLC

Item Summary:

Material Recovery, LLC has filed an application for a franchise to operate a construction and demolition debris (C&D) landfill in Wake County. The property is located on Brownfield Road, SR2553 (map attached). The application (copy attached w/o attachments) is filed pursuant to the franchise ordinance for C&D landfills enacted by the Board on September 7, 1999. The Board of Adjustments approved this request on December 12, 2000. The Ordinance provides that the Board may, but is not required to, hold a public hearing prior to acting on a request for a C&D franchise. A proposed ordinance granting a franchise is attached for consideration. State law requires that a franchise be approved at two regular meetings before it may be finally adopted.

Attachments: 2

Specific Action Requested:

Consideration of the application from Material Recovery, LLC for grant of a franchise to operate a C&D landfill.



ORDINANCE GRANTING FRANCHISE TO MATERIAL RECOVERY, LLC
FOR OPERATION OF CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL

WHEREAS, Material Recovery, LLC has applied for a franchise for the operation of a construction and demolition debris landfill in Wake County; and

WHEREAS, the application filed by Material Recovery, LLC contains all of the information required by the Wake County franchise ordinance for construction debris (C&D) landfills; and

WHEREAS, the applicants have received a special use permit from the Wake County Board of Adjustment for operation of a C&D landfill on the site identified in the application.

NOW, THEREFORE, BE IT ORDAINED THAT, Material Recovery, LLC, is hereby granted a franchise to operate a construction and demolition debris landfill in Wake County in accordance with the representations made on the application submitted by Material Recovery, LLC, a copy of which is maintained in the permanent files of the Clerk to the Board. This franchise shall be in effect for a period of 20 years.

Kennedy Covington
ATTORNEYS AT LAW

Lacy H. Reaves
919/743-7304
lreaves@kennedycovington.com

January 16, 2001

Via Hand Delivery

Ms. Gwen Reynolds
Clerk to the Wake County Board of Commissioners
11th Floor, Wake County Office Building
Raleigh, NC 27601

RE: Application of Material Recovery, LLC

Dear Ms. Reynolds:

As we have discussed by telephone, I represent Material Recovery, LLC which recently was granted a special use permit by the Wake County Board of Adjustment to establish and operate a construction and demolition landfill. In accordance with applicable law, I submit to you herewith on behalf of my client an application for Construction and Demolition Debris Landfill Franchise.

I look forward to hearing from you or Mike Ferrell as this matter moves forward.

Very truly yours,



Lacy H. Reaves

LHR:kju
Enclosure
cc: Michael Ferrell, Esquire

STATE OF NORTH CAROLINA

COUNTY OF WAKE

APPLICATION FOR CONSTRUCTION AND DEMOLITION DEBRIS
LANDFILL FRANCHISE

NOW COMES Material Recovery, LLC (the "Applicant") and submits this Application for a Construction and Demolition Debris Landfill Franchise to the Wake County Board of Commissioners this 17th day of January, 2001.

In support of this application, the following information is submitted:

1. The name and address of the Applicant is Material Recovery, LLC, 421 Raleigh View Road, Raleigh, North Carolina 27610. The Applicant will be the owner of the proposed landfill site, but has not yet closed its purchase. The present owners of the proposed site are Ashley Turner Enterprises, Inc. of P.O. Box 160, Clayton, North Carolina 27520 and William Ashley Turner and Debra C. Turner of 2256 Shotwell Road, Clayton, North Carolina 27520.

2. The Applicant does not do business under any trade or other fictitious names. A certified copy of the Applicant's Articles of Organization are attached hereto as Exhibit A.

3. Legal descriptions of the property proposed to be included in the construction and demolition landfill are set forth in deeds recorded at Book 6555, Page 646 and Book 8310, Page 1316 of the Wake County Registry. Copies of such deeds are attached hereto as Exhibits B and C. Copies of maps of the property proposed to be included in the landfill are attached hereto as Exhibits D and E. Tract 2 shown on Exhibit E will not be included in the proposed landfill.

4. The population to be served by the proposed construction and demolition landfill consists of present and future residents of Wake County (present population 592,218), and Johnston County (present population 112,154). It is possible that the landfill will also serve present and future residents of Durham County (present population 203,357), Orange County (present population 109,746), and Chatham County (present population 47,264).

5. The proposed construction and demolition landfill will accept an average of 650 tons of material daily. In addition to material delivered to the proposed landfill in automobiles and light trucks, it is anticipated that approximately fifty 10-wheel/roll-off trucks and ten 18-wheel trucks will visit the proposed landfill daily. The facility will operate from 7 a.m. until 5:30 p.m. on weekdays and from 8:30 a.m. until 2:00 p.m. on Saturdays. The waste stream will be strictly limited by the landfill's state permit to be issued by the Department of Environmental Health and Human Resources, Division of Solid Waste Management prior to construction. The waste stream will include the following types of waste materials: inert debris similar to types deposited in LCID landfills, asphalt, solid waste resulting from construction, remodeling, repair or demolition operations on pavement, buildings, or other structures (such as furniture, carpet remnants, and any other waste material resulting from the construction and demolition of a structure) and other construction and demolition and LCID materials approved by the Division of Solid Waste Management.

The Applicant's affiliate, Material Reclamation, LLC, operates a facility for the reclamation of construction and demolition material in Raleigh. It currently operates a facility on Raleigh View Road in southeast Raleigh where construction and demolition

material is processed and approximately 55% of the material is reclaimed and removed from the waste stream. A sizeable portion of the material to be deposited in the Applicant's proposed construction and demolition landfill will be non-reclaimable material processed by Material Reclamation, LLC.

6. The projected useful life of the Applicant's proposed construction and demolition landfill is between 30 and 40 years.

7. Attached hereto as Exhibit F is a letter dated December 22, 2000 from the Wake County Planning Department confirming the approval by the Wake County Board of Adjustment of a Special Use Permit for the Applicant's proposed landfill.

WHEREFORE, Material Recovery, LLC through its attorney respectfully requests that the Wake County Board of Commissioners, after such notices, consideration, and deliberation as the Board deems appropriate and in accordance with applicable statutes, ordinances, and regulations, issue the Franchise as requested by the Applicant.

MATERIAL RECOVERY, LLC

By: Lacy H. Reaves

Lacy H. Reaves
Kennedy Covington Lobdell
& Hickman, LLP
Attorney for Applicant
P.O. Box 1070
Raleigh, NC 27602-1070
(919) 743-7304 (telephone)
(919) 743-7358 (facsimile)



NORTH CAROLINA

Department of The Secretary of State

To all whom these presents shall come, Greetings:

I, **ELAINE F. MARSHALL**, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

**ARTICLES OF ORGANIZATION
OF
MATERIAL RECOVERY, LLC**

the original of which is now on file and a matter of record in this office.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 10th day of January, 2001.

Elaine F. Marshall

Secretary of State

20 265 9037

State of North Carolina
Department of the Secretary of State
LIMITED LIABILITY COMPANY

SOSID: 564770
Date Filed: 9/21/2000 3:34 PM
Elaine F. Marshall
North Carolina Secretary of State

ARTICLES OF ORGANIZATION

Pursuant to §57C-2-20 of the General statutes of North Carolina, the undersigned does hereby submit these Articles of Organization for the purpose of forming a limited liability company.

- 1. The name of the limited liability company is: Material Recovery, LLC
- 2. The latest date on which the limited liability company is to dissolve is December 31, 2050.
- 3. The name and address of each organizer executing these articles of organization is as follows:

L. James Blackwood, II
108 Commerce Place
Greensboro, N.C. 27401

- 4. The street address and county of the initial registered office of the limited liability company is:

108 Commerce Place
Greensboro, N.C. 27401 Guilford County

- 5. The mailing address if different from the street address of the initial registered office is: SAME

- 6. The name of the initial registered agent is L. James Blackwood, II.

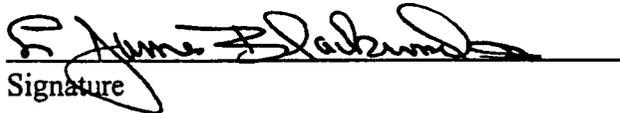
- 7. Check one of the following:

- (i) Member-managed LLC: all of the members by virtue of their status as members shall be managers of this limited liability company.
- (ii) Manager-managed LLC: except as provided by N.C.G.S. §57C-3-20(a), the members of this limited liability company shall not be managers by virtue of their status as members.

- 8. Any other provisions which the limited liability company elects to include are attached. There are no other provisions which the limited liability company elects to include.

- 9. These articles will be effective upon filing, unless a date and/or time is specified: Effective upon filing.

This 30 day of September, 2000.


Signature

L. JAMES BLACKWOOD, II, Organizer

NOTES: Filing fee is \$125. This document and one exact or conformed copy of these articles must be filed with the SECRETARY OF STATE
CORPORATIONS DIVISION 300 N. SALISBURY STREET RALEIGH, NC 27603-5909

BK6555PG0646

000484

PRESENTED FOR REGISTRATION
95 JUN -7 PM 3:32
KENNETH C. JAMES
REGISTER OF DEEDS
WAKE COUNTY

Excise Tax 00

Recording Time, Book and Page

Tax Lot No. _____ Parcel Identifier No. 0004648 & 0004649
Verified by _____ County on the _____ day of _____, 19____
by _____

Mall after recording to R. Dannette Underwood
PO Box 141, Clayton, NC 27520
This instrument was prepared by R. Dannette Underwood
Brief description for the index Lot 1 & 2, 163.43 Ac. St. Mary's Twnshp

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 9 day of June, 1995, by and between
GRANTOR GRANTEE

ASHLEY TURNER BUILDING CO., INC.

WILLIAM ASHLEY TURNER and wife,
DEBRA C. TURNER

3700 Shotwell Road
Clayton, NC 27520

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation 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.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, 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 the City of _____
St. Mary's Township,
_____ County, North Carolina and more particularly described as follows:

SEE ATTACHED EXHIBIT A FOR DESCRIPTION

The property hereinabove described was acquired by Grantor by instrument recorded in _____
Deed Book 6477 Page 925, Wake County Registry

A map showing the above described property is recorded in Plat Book _____ page _____
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 hereinafter stated.
Title to the property hereinabove described is subject to the following exceptions:

Restrictions and easements of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its
corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first
above written.

ASHLEY TURNER BUILDING CO., INC.
(Corporate Name)
BY: Walter A. Jones _____ (SEAL)
President
ATTEST: Barbara Bailey _____ (SEAL)
Secretary (Corporate Seal)
NORTH CAROLINA

SEAL-STAMP NORTH CAROLINA, _____ County.
I, a Notary Public of the County and State aforesaid, certify that _____ Grantor,
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
hand and official stamp or seal, this _____ day of _____ 19____
My commission expires: _____ Notary Public

SEAL-STAMP NORTH CAROLINA, Johnston County.
I, a Notary Public of the County and State aforesaid, certify that Barbara Bailey
personally came before me this day and acknowledged that she is _____ Secretary of
Ashley Turner Building Co., Inc. a North Carolina corporation, and that by authority duly
given and in the act of the corporation, the foregoing instrument was signed in its name by its
President, sealed with its corporate seal and attested by her as its Secretary.
Witness my hand and official stamp or seal, this 9 day of June 1995
My commission expires: July 27, 1998 Beverly Leona Wallace Notary Public

The foregoing Certificate(s) of Beverly Leona Wallace

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the
first page hereof.
KENNETH C. WILKINS REGISTER OF DEEDS FOR Wake COUNTY
By Meta N. Harris Deputy/Assistant - Register of Deeds

N. C. Bar Assoc. Form No. 3 © 1976, Revised © 1977 - James Matthews & Co., Inc., Box 127, Raleigh, N. C. 27602
Printed by Agreement with the N. C. Bar Assoc. - 1981

BK655PG0648

EXHIBIT A

Tracts 1 & 2, 163.43 Acres

TRACT 1

BEGINNING at a point 70.65 feet North of the intersection of NCSR 2542 and NCSR 2553, having a line from NCSR 2542 to the point of Beginning of South 03 degrees 54' 58" 70.65 feet, thence from said point North 89 degrees 34' 18" West 578.19 feet to an existing iron pipe, thence from the existing iron pipe South 00 degrees 15' 03" West 449.24 feet to an existing iron pipe, thence from the existing iron pipe South 00 degrees 15' 03" West 36.92 feet to the center of NCSR 2542, thence from the center of NCSR 2542 South 53 degrees 15' 50" West 172.61 feet along NCSR 2542, thence from this center point of NCSR 2542 North 00 degrees 59' 07" West 36.56 feet to an existing iron pipe, thence from the existing iron pipe N 00 degrees 59' 07" West 552.64 feet to an existing iron pipe, thence from the existing iron pipe South 89 degrees 54' 28" West 888.40 feet to an existing iron pipe, thence from the existing iron pipe North 01 degrees 28' 05" East 959.90 feet to an existing iron pipe, thence from the existing iron pipe N 01 degrees 28' 17" East 314.90 feet to an existing iron pipe, thence from the existing iron pipe North 00 degrees 46' 02" East 959.50 feet to an existing iron pipe thence from the existing iron pipe South 87 degrees 55' 55" East 2879.54 feet to a new iron pipe, thence from the new iron pipe South 87 degrees 55' 55" East 35.68 feet to the center of NCSR 2553, thence from the center of NCSR 2553, traversing along the same road at the following coordinates: North 34 degrees 51' 54" East 62.67 feet, North 35 degrees 35' 00" East 601.74 feet, North 35 degrees 25' 33" East 122.54, North 34 degrees 46' 39" east 103.54 feet, North 34 degrees 25' 54" 115.25 feet, North 33 degrees 42' 51" East 122.91 feet, North 33 degrees 34' 14"

BK6555PG0649

Exhibit A
Continued Page 2

East 109.37 feet, North 32 degrees 51' 31" East 104.44 feet, North 31 degrees 20' 44" East 105.20 feet, North 30 degrees 38' 28" east 914.06 feet, North 28 degrees 24' 19" East 53.84 feet, North 21 degrees 50' 36" East 51.26 feet, and North 10 degrees 10' 37" East 58.49 feet, which includes the 60 feet right of way reserved by DOT on NCSR 2553, to the point and place of BEGINNING, containing 113.55 gross acres, according to the plat of same prepared by Williams-Pearce & Associates, P.A., Registered Land Surveyors, dated March 21, 1995 and recorded in Plat Book 1995, Page 456, of the Wake County Registry.

TRACT 2

BEGINNING at the same point as did Tract 1 above and traversing along NCSR 2553 with those same coordinates as set forth above in Tract 1, those being as follows: North 10 degrees 10' 37" east 58.49 feet, North 21 degrees 50' 36" East 51.26 feet, North 28 degrees 24' 19" East 53.84 feet, North 30 degrees 38' 28" East 914.06 feet, North 31 degrees 20' 44" east 105.20 feet, North 32 degrees 51' 31" east 104.44 feet, North 33 degrees 34' 14" East 109.37 feet, North 33 degrees 42' 51" 122.91 feet, North 34 degrees 25' 54" East 115.25 feet, North 34 degrees 46' 39" East 103.54 feet, North 35 degrees 25' 33" East 122.54 feet, North 35 degrees 35' 00" East 601.74 feet, North 34 degrees 51' 54" East 62.67 feet, North 33 degrees 47' 21" east 92.11 feet, North 28 degrees 21' 05" east 55.62 feet, North 24 degrees 14' 24" East 56.47 feet, North 19 degrees 07' 50" Est 70.27 feet, North 14 degrees 27' 54" East 55.00 feet, North 10 degrees 22' 09" East 52.22 feet, North 06 degrees 52' 39" East 76.00 feet, North 05 degrees 41' 37" East 113.61 feet and North 04 degrees 39' 47" 102.92 feet to a new PK nail in

Exhibit A Continued
Page 3

the center of NCSR 2553, thence from said new PK nail North 89 degrees 23' 26" east 30.13 feet to a new iron pipe, thence from said new iron pipe North 89 degrees 23' 26" East 229.08 feet to an existing iron pipe, thence from said existing iron pipe South 52 degrees 46' 34" East 600.84 feet to an existing iron pipe, thence from said existing iron pipe South 00 degrees 02' 37" 311.54 feet to an existing iron pipe, thence from said existing iron pipe South 00 degrees 12' 23" West 580.92 feet to an existing iron pipe, thence from said existing iron pipe South 89 degrees 25' 55" West 731.89 feet to an existing iron pipe thence from said existing iron pipe South 28 degrees 23' 31" West 1687.75 feet to an existing iron pipe, thence from said existing iron pipe South 28 degrees 23' 31" West 33.90 feet to the center of NCSR 2542, thence from this center point North 89 degrees 34' 18" West 703.21 feet, which includes the 60 feet right of way reserved by DOT on NCSR 2542, to the point and place of BEGINNING, containing 49.88 gross acres, according to the plat of same prepared by William-Pearce and Associates, P.A., Registered Land Surveyor, dated March 21, 1995 and recorded in Plat Book 1995, Page 456, of the Wake County Registry.

BK8310PG1316

PRESENTED FOR REGISTRATION

000536

99 MAY 11 PM 1:48

WAKE COUNTY

05/11/1999

\$2400.00



Real Estate Excise Tax

LAURA M. RIDICK REGISTER OF DEEDS WAKE COUNTY

Excise Tax \$2,400.00

Recording Time, Book and Page

Tax Lot No. Parcel Identifier No. 1741.04.73.2924
Verified by County on the day of 19
by

Mail after recording to R. Dannette Underwood, P. O. Box 161, Clayton, North Carolina 27520

This instrument was prepared by Charles L. Fulton of Manning, Fulton & Skinner, P.A.

Brief description for the Index 97.52 acres, SR 2553 T-17288

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 11th day of May, 1999, by and between

GRANTOR

GRANTEE

CYLESTER P. GINN, widow

ASHLEY TURNER ENTERPRISES, INC.
P. O. Box 160
Clayton, North Carolina 27520

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation 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.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, 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 the City of Garner, Wake County, North Carolina and more particularly described as follows:

Wake County, North Carolina and more particularly described as follows:
on Exhibit A attached hereto and incorporated herein by this reference thereto.

12-

BK8310PG1317

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 1726, page 588, Wake County Registry

A map showing the above described property is recorded in Plat Book page 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 hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

1999 taxes, a 90' CP&L easement crossing the northeast corner of the property and other easements of record, and the right of way of SR 2553.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

Corporate Name: Cylester P. Ginn (SEAL) Cylester P. Ginn (SEAL) By: (SEAL) President (SEAL) ATTEST: (SEAL) Secretary (Corporate Seal) (SEAL)

USE BLACK INK ONLY

SEAL-STAMP

NORTH CAROLINA, Wake County.

I, a Notary Public of the County and State aforesaid, certify that Cylester P. Ginn, widow, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 11th day of May, 1999. My commission expires: 9-10-2000 Doris B. Marsh Notary Public

DORIS B. MARSH NOTARY PUBLIC WAKE COUNTY, N.C. My Commission Expires 9-10-2000

SEAL-STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that personally came before me this day and acknowledged that he is Secretary of a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by as its Secretary. Witness my hand and official stamp or seal, this day of 19. My commission expires: Notary Public

The foregoing Certificate(s) of Doris B. Marsh

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

LAURAN RIDDICK REGISTER OF DEEDS FOR WAKE COUNTY By Deputy/Assistant - Register of Deeds

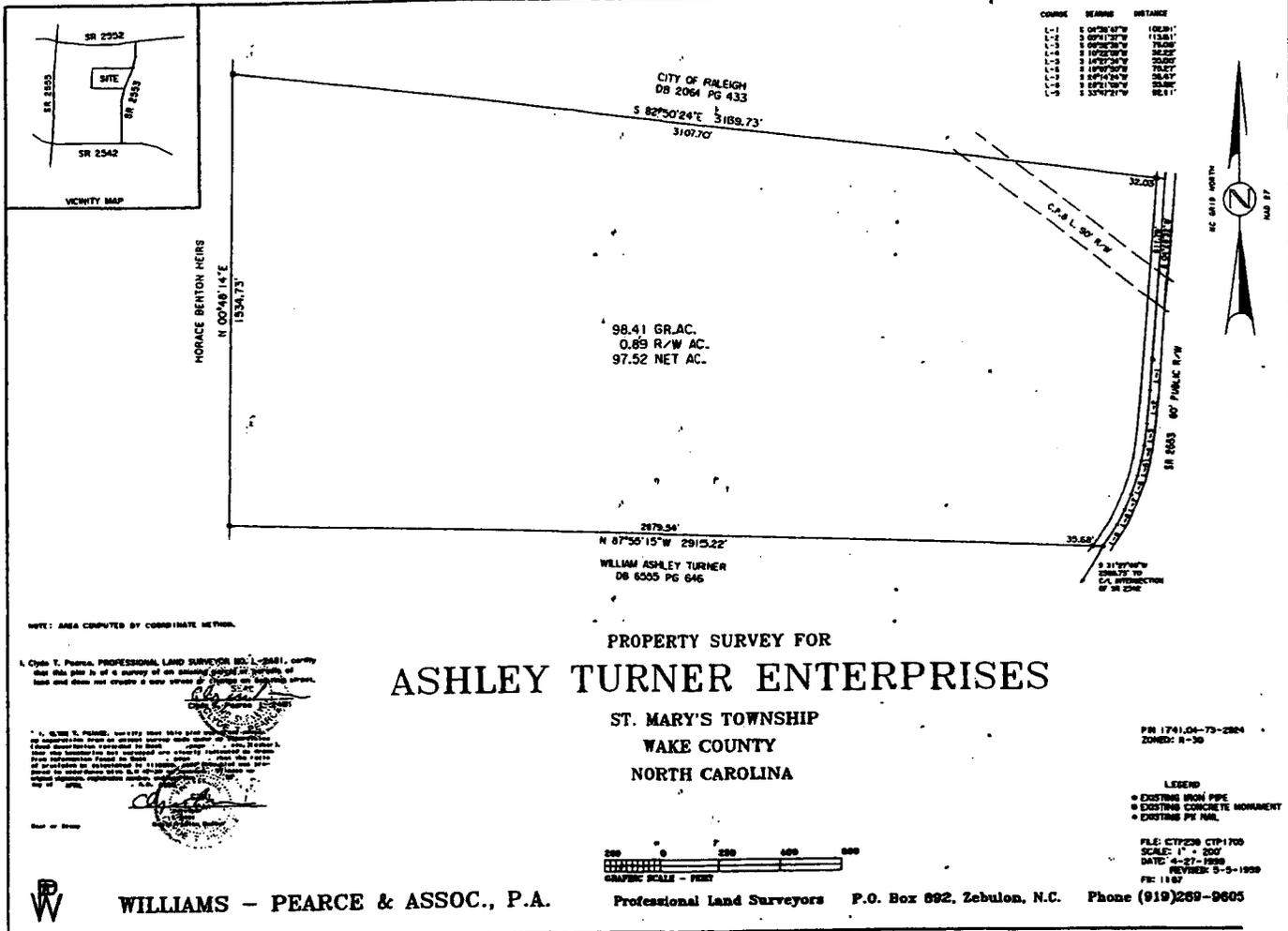
BK8310P61318

**EXHIBIT A TO DEED FROM
CYLESTER P. GINN, WIDOW, TO
ASHLEY TURNER ENTERPRISES, INC.**

BEGINNING at an existing PK nail located in the centerline of SR 2553 (a 60' public right-of-way), said nail being distant North 31° 27' 48" East 2580.75 feet from the centerline intersection of SR 2542, said nail marking the northeast corner of the property owned now or formerly by William Ashley Turner as described in Deed Book 6555, page 646, Wake County Registry; runs thence along and with the northern line of the Turner property (now or formerly) North 87° 55' 15" West 35.68 feet to an existing iron pipe located in the western right-of-way line of said SR 2553 and North 87° 55' 15" West 2879.54 feet to an existing iron pipe in the eastern line of the property owned now or formerly by Horace Benton Heirs; runs thence along and with said eastern line of the Benton Heirs property (now or formerly) North 00° 48' 14" East 1534.73 feet to an existing concrete monument, said concrete monument marking the southwest corner of the property owned now or formerly by the City of Raleigh as described in Deed Book 2064, page 433, Wake County Registry; runs thence along and with the southern line of the property of the City of Raleigh (now or formerly) South 82° 50' 24" East 3107.70 feet to an existing concrete monument located in the western right-of-way line of said SR 2553 and South 82° 50' 24" East 32.03 feet to a point in the centerline of said SR 2553; runs thence along and with said centerline of SR 2553 the following ten courses and distances; (1) South 04° 28' 32" West 611.79 feet to an existing PK nail; (2) South 04° 39' 47" West 102.91 feet to point; (3) South 05° 41' 37" West 113.61 feet to point; (4) South 06° 52' 39" West 76.00 feet to point; (5) South 10° 22' 09" West 52.22 feet to point; (6) South 14° 27' 54" West 55.00 feet to point; (7) South 19° 07' 50" West 70.27 feet to point; (8) South 24° 14' 24" West 56.47 feet to point; (9) South 28° 21' 05" West 55.62 feet to point; and (10) South 33° 47' 21" West 92.11 feet to the POINT AND PLACE OF BEGINNING, containing 98.41 gross acres, including 0.89 acres within the right-of-way of said SR 2553, all according to plat of survey dated April 27, 1999 and revised May 5, 1999 entitled "Property Survey for Ashley Turner Enterprises" prepared by Clyde T. Pearce, Professional Land Surveyor, of Williams - Pearce & Assoc., P.A.

The above-described tract being the property conveyed to Harvey D. Ginn and wife, Cylester P. Ginn by deed recorded in Book 1726, page 588, Wake County Registry. See also Estate File of Harvey D. Ginn found in 96 E 209, Wake County Clerk of Superior Court.

220760/CLF/db/10834-T17228



COURSE	BEARING	DISTANCE
L-1	S 00°21'12\"/>	

NOTE: AREA COMPUTED BY COORDINATE METHOD.

I, Clyde T. Pearce, PROFESSIONAL LAND SURVEYOR NO. 1-28481, certify that this plan is of a survey of an unshared parcel of land and does not create a new survey of shared or common areas.

I, Clyde T. Pearce, certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed and qualified professional land surveyor in the State of North Carolina. I am not a partner, officer, director, or employee of any firm, partnership, or corporation that is not a duly licensed and qualified professional land surveyor in the State of North Carolina.

PROPERTY SURVEY FOR
ASHLEY TURNER ENTERPRISES
 ST. MARY'S TOWNSHIP
 WAKE COUNTY
 NORTH CAROLINA

PN 174104-73-2804
 ZONED: R-30

- LEGEND
- EXISTING IRON PIPE
 - EXISTING CONCRETE MONUMENT
 - EXISTING PV PANEL



FILE: CTP238 CTP-1705
 SCALE: 1" = 200'
 DATE: 4-27-1998
 REVISED: 5-5-1998
 PR: 1187



WILLIAMS - PEARCE & ASSOC., P.A.

Professional Land Surveyors P.O. Box 892, Zebulon, N.C. Phone (919)289-9605



Planning

Zoning and Subdivision
P.O. Box 550 • Raleigh, NC 27602
www.co.wake.nc.us/planning

December 22, 2000

Mr. Lacy H. Reeves, Esquire
P.O. Box 1070
Raleigh, NC 27602

Re: Approval of Special Use Permit SU-1892-00, C & D Landfill & Material Reclamation Facility

By Fax and Mail

Dear Mr. Reeves:

This is written to confirm that on December 12, 2000, the Wake County Board of Adjustments approved the Special Use Permit application SU-1892-00 to allow a construction and demolition landfill and material reclamation facility on Brownfield Road. Please note that there is a 30-day period for appeals of this decision to Superior Court starting after receipt of this notice.

I am sending this letter by fax and mail. Please send me confirmation of your receipt of the fax today. Should you have any questions, I can be reached at 856-6228.

Sincerely,

A handwritten signature in cursive script that reads "Melinda Clark".

Melinda Clark, AICP
Land Development Administrator

Cc: Mr. Scott Warren, Esquire
Wake County Attorney's Office