

Prepared by: Jennifer Burger
Returned to: Cooper Environmental, Inc.
 2300 Sardis Road North, Suite, Q
 Charlotte, NC 28227

FORSYTH CO, NC 107 FEE: \$ 20.00
 PRESENTED & RECORDED: 05/30/2002 11:18AM
 DICKIE C. WOOD REGISTER OF DEEDS BY: WILLIA
 BK2256 P 605 - P 607

NOTICE OF RESIDUAL PETROLEUM

U-Haul 780-54, Forsyth County, North Carolina

The property that is the subject of this Notice (hereinafter referred to as the "Site") is contaminated with petroleum and is an Underground Storage Tank (UST) incident under North Carolina's Statutes and Regulations, which consist of N.C.G.S. 143-215.94 and regulations adopted there under. This Notice is part of a remedial action for the Site that has been approved by the Secretary (or his/her delegate) of the North Carolina Department of Environment and Natural Resources (or its successor in function), as authorized by N.C.G.S. Section 143B-279.9 and 143B-279.11. The North Carolina Department of Environment and Natural Resources shall hereinafter be referred to as "DENR".

NOTICE

Petroleum product was released and/or discharged at the site. Petroleum constituents remain on the site, but are not a danger to public health and the environment, provided that the restrictions described herein, and any other measures required by DENR, are strictly complied with. This "Notice of Residual Petroleum" is composed of a description of the property, the location of the contamination and the land use restrictions on the Site. The Notice has been approved and notarized by DENR pursuant to N.C.G.S. Section 143B-279.11 and has/shall be recorded at the Forsyth County Register of Deeds' office Book _____, Page _____.

Amerco Real Estate Company of Phoenix, Arizona is the owner in fee simple of the Site, which is located in the County of Forsyth, State of North Carolina, and is known and legally described as:

Beginning at a point on the east side of Spruce Street, the southwest corner of Lot No. 154 on the plat of Winston, recorded in plat book 8 page 66, Forsyth County Registry, said point being the northwest corner of that property deeded to Joseph E. Douthit in deed book 860, page 420, Forsyth County Registry; thence from said beginning point and running with the east right-of-way of Spruce Street north 04 deg. 40' 00" west 113.64 feet to a point, the southwest corner of that property conveyed to Piedmont Publishing Company, recorded in deed book 956, page 433; thence along the south line of Piedmont Publishing Company, north 85 deg. 18' 6" east 100 feet to a point, the west right-of-way margin of Marshall Street, said point also being south 04 deg. 25' 26" east 100 feet from the southwest corner of Marshall Street and second (2nd) Street; thence along the west right-of-way margin of Marshall Street south 04 deg. 25' 26" east 211.46 feet to an iron stake, said iron stake being the northeast corner of Korrie I. Lyons property; thence south 84 deg. 43' 24" west 99.41 feet to the point and place of beginning. The above described property is known as tax lots 105, 106A, 106B, 106C, 107, and 108 of block 74, Forsyth County Tax Department.

For protection of public health and the environment, Amerco Real Estate Company, acting by and through Max Stuart, agent for Amerco Real Estate Company, hereby declares that all of the real property described above shall be held, sold and conveyed subject to the following perpetual land use restrictions, which shall run with the land; shall be binding on all parties having any right, title or interest in the above-described property or any part thereof, there heirs, successors and assigns; and shall, as provided in N.C.G.S. Section 143B-279.9, be enforceable without regard to lack of privity of estate or restrictions shall continue in perpetuity and cannot be amended or cancelled unless and until the Forsyth County Register of Deeds receives and records the written concurrence of the Secretary (or his/her delegate) of DENR (or its successor in function).

PERPETUAL LAND USE RESTRICTIONS


Groundwater: Groundwater from the site is prohibited from use as a water supply. Water supply wells of any kind shall not be installed or operated on site.

ENFORCEMENT

The above land use restriction shall be enforced by any owner, operator, or other party responsible for the Site. The above land use restriction may also be enforced by DENR through the remedies provided in N.C.G.S. Chapter 143B, Article 7, Part 1 or by means of a civil action, and may also be enforced by any unit of local government having jurisdiction over any part of the Site. Any attempt to cancel this Notice without the approval of DENR (or its successor in function) shall be subject to enforcement by DENR to the full extent of the law. Failure by any party required or authorized to enforce the above restriction shall in no event be deemed a waiver of the right to do so thereafter as to the same violation or as to one occurring prior or subsequent thereto.

IN WITNESS WHEREOF, Amerco Real Estate Company has caused these presents to be executed in its name by Max Stuart, agent for Amerco Real Estate Company, this 23 day of April, 2002.

Amerco Real Estate Company

By: 

Signatory's name typed/printed: Max Stuart, agent for Amerco Real Estate Company

STATE OF NORTH CAROLINA
FORSYTH COUNTY

I, Ann E. Arthur, a Notary Public of said County and State, do hereby certify that Max Stuart, personally appeared before me this day and acknowledged that he/she is the Agent of Amerco Real Estate Company and that by authority duly given, and as the act of Agent, the forgoing instrument was signed in its name by such Agent.

WITNESS my hand and seal this 23 day of April, 2002.

(Official seal)

Ann E. Arthur

Notary Public

My commission expires 14 of Feb, 2000.
Approved for the purposes of N.C.G.S. 143B-279.11

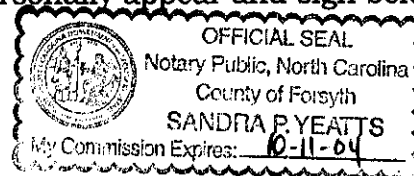
Michael Phelps, Regional Supervisor (signature)
Michael Phelps, Regional Supervisor (printed name)
Winston-Salem Regional Office

UST Section
Division of Waste Management
Department of Environment and Natural Resources

STATE OF NORTH CAROLINA
FORSYTH COUNTY

I, Sandra P. Yeatts, a Notary public of said County and State, do hereby certify that Michael Phelps, did personally appear and sign before me this the 16th day of May, 2002.

Sandra P. Yeatts
Notary Public (signature)



My commission expires 10 - 11, 20 04.

STATE OF NORTH CAROLINA
FORSYTH COUNTY

I, Ann E. Arthur, a Notary Public for said County and State, do hereby certify that Max Stuart personally came before me this day and acknowledged that he is Agent of Amerco Real Estate Company and acknowledged, on behalf of Amerco Real Estate Company the due execution of the foregoing instrument.

Witness my hand and official seal, this 30 day of MAY, 2002.

Ann E. Arthur
Notary Public

My commission expires 14 of Feb 2000

STATE OF NC - FORSYTH CO
The foregoing certificate(s) of:
NP(s)
Sandra P. Yeatts
is/are certified to be correct at the date of recordation shown on the first page hereof.
Dickie C. Wood, Register of Deeds by: Sandra P. Yeatts

