

12/20/2007

duponbj

Groundwater and Wastewater Services File Imaging Project

May 2007

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Mecklenburg County
Health Department

March 27, 1996

Mr. Wayne Bowen
504 Fisher Street
Pineville, NC 28134

Re: Mallard Creek Road
File: 1243B
Parcel: 029-101-05

Dear Mr. Bowen:

Receipt of your Application for Improvement Permit for the above referenced property is acknowledged. A soil evaluation and a site visit have been conducted. The results of the evaluation indicated that the site is **UNSUITABLE** under Rules .1941 **SOIL CHARACTERISTICS (MORPHOLOGY)** .1942 **SOIL WETNESS CONDITIONS**, AND .1943 **SOIL DEPTH.** For these reasons your Application for Improvement Permit is denied. A possible way to develop the site exists under Rule .1948(d) which reads as follows:

> A site classified as **UNSUITABLE** may be used for a ground absorption sewage treatment and disposal system specifically identified in Rules .1955, .1956, or .1957 of this Section or a system approved under Rule .1969 if written documentation, including engineering, hydrogeologic, geologic or soil studies, indicates to the local Health Department that the proposed system can be expected to function satisfactorily. Such sites shall be reclassified as **PROVISIONALLY SUITABLE** if the local health department determines that the substantiating data indicated that:
> (1) a ground absorption system can be installed so that the effluent will be non-pathogenic, non-infectious, non-toxic, and non-hazardous;
> (2) the effluent will not contaminate groundwater or surface water, and
> (3) the effluent will not be exposed on the ground surface or be discharged to the surface waters where it could come in contact with people, animals, or vectors.

The state shall review the substantiating data if requested by the local health department.

Please be advised that you have the right to an informal review by this department. You also have the right to appeal under G.S. 130A-24, and to have the appeal held in Mecklenburg County.

If you have any questions regarding this matter please do not hesitate to call me at 336-5575.

Sincerely,

Kelly Randall, R.S., Soil Scientist
Individual Water and Wastewater Systems

KR:gc

Mecklenburg County
Health Department

Mr Wayne Bowen
504 Fisher St.
Pineville NC 28134

Re: Mallard Creek Road
Parcel: 029-101-05
File 1243-B

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> (3) the effluent will not be exposed on the ground surface or be discharged to surface waters where it could come in contact with people, animals, or vectors.
> The State shall review the substantiating data if requested by the local health department.

Please be advised that you have the right to an informal review by this department. You also have the right to appeal under G.S. 130A-24, and to have the appeal held in Mecklenburg County.

If you have any questions regarding this matter, please call me at 336-5575.

Sincerely,

Kelly Randall, R.S., Soil Scientist
Individual Water and Wastewater Systems

.1941 SOIL CHARACTERISTICS (MORPHOLOGY),

.1942 SOIL WETNESS CONDITIONS, and .1943 SOIL DEPTH

DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL HEALTH
ON-SITE WASTEWATER SECTION

Sheet ___ of ___
PROPERTY ID #: ___
COUNTY: ___

SOIL/SITE EVALUATION for ON-SITE WASTEWATER SYSTEM

#3
1243B
00 029-101-05

OWNER: Paul C. McAnulty APPLICANT: ___
ADDRESS: 13932 Mallard Creek Rd. Mon. APPLICATION DATE: ___ DATE EVALUATED: ___
PROPOSED FACILITY: residence PROPOSED DESIGN FLOW (.1949): ___ PROPERTY SIZE: 4.5
LOCATION OF SITE: Mallard Creek Rd PROPERTY RECORDED: ___
WATER SUPPLY: ☑ Private ☐ Public ☐ Well ☐ Spring ☐ Other ___
EVALUATION METHOD: ☐ Auger Boring ☐ Pit ☐ Cut
TYPE OF WASTEWATER: ☐ Sewage ☐ Industrial Process ☐ Mixed

PROFILE #	Slopes 5-10% .1940 LANDSCAPE POSITION/ SLOPE %	HORIZON DEPTH (IN.)	SOIL MORPHOLOGY (.1941) .1941 STRUCTURE/ TEXTURE	.1941 CONSISTENCE/ MINERALOGY	OTHER PROFILE FACTORS .1942 SOIL WETNESS/ COLOR	.1943 SOIL DEPTH	.1956 SAPRO CLASS	.1944 RESTR HORIZ	PROFILE CLASS & LTAR
1	LS	0-2"	sBK/scl	Fi/sEXP/SS/P	> 13" TO Chroma 2 MOTTLES	13"	N/A	None	US
		2-13"	sBK/c	Fi-VF/EXP/VS/VP					
2	LS	0-8"	sBK/scl	Fr/sEXP/SS/SP	2.5Y 6/1 MOTTLES @ 21"	21"	N/A	None	US
		8-21"	sBK/c	Fi-VF/EXP/VS/VP					
3	LS	0-2"	sBK/cl	Fr/sEXP/SS/SP	> 10" TO Chroma 2 MOTTLES	10"	N/A	None	US
		2-10"	sBK/c	Fi-VF/EXP/VS/VP					
4	LS	0-2"	sBK/cl	Fr/sEXP/SS/SP	> 10" TO Chroma 2 MOTTLES	10"	N/A	None	US
		2-6"	sBK/c	Fi-VF/EXP/VS/VP					
		6-10"	Massive/scl	Fi/EXP/S/P					
5	LS	0-2"	sBK/cl	Fr/sEXP/SS/SP	2.5Y 6/2 MOTTLES @ 7"	7"	N/A	None	US
		2-7"	sBK/c	Fi-VF/EXP/VS/VP					

DESCRIPTION	INITIAL SYSTEM	REPAIR SYSTEM
Available Space (.1945)	US	US
System Type(s)		
[illegible] SAR		

OTHER FACTORS (.1946): ___
SITE CLASSIFICATION (.1948): Unsuitable
EVALUATED BY: William R. Marlin 3-16-9[illegible]
OTHER(S) PRESENT: ___

OMMENTS: pool alley 1000 repair

LEGEND

use the following standard abbreviations

LANDSCAPE POSITION	GROUP	SOIL TEXTURE	CONVENTIONAL 1955 LTAR	LPP 1957 LTAR	MINERALOGY/ CONSISTENCE	STRUCTURE
C (Concave Slope) V (Convex Slope) (Drainage Way) S (Debris Slump) P (Flood Plain) S (Foot Slope) (Head Slope) (Linear Slope) (Nose Slope) (Ridge) (Shoulder Slope) (Terrace)	I	S (Sand) LS (Loamy Sand)	1.2 - 0.8	0.6 - 0.4	NEXP (Non-expansive) SEXP (Slightly Expansive) EXP (Expansive)	G (Single Grain) M (Massive) CR (Crumb) GR (Granular) SBK (Subangular Blocky) ABK (Angular Blocky) PL (Platy) PR (Prismatic)
	II	SL (Sandy Loam) L (Loam)	0.8 - 0.6	0.4 - 0.3		
	III	SI (Silt) SICL (Silty Clay Loam) CL (Clay Loam) SCL (Sandy Clay Loam) SUC (Silt Loam Clay)	0.6 - 0.3	0.3 - 0.15		
					MOIST	WET
	IV	SC (Sandy Clay) SIC (Silty Clay)	0.4 - 0.1	0.2 - 0.05	VFR (Very Friable) FR (Friable) FI (Firm) VFI (Very Firm v EFI (Extremely Firm)	NS (Non-sticky) SS (Slightly Sticky) S (Sticky) VS (Very Sticky) NP (Non-plastic) SP (Slightly Plastic) P (Plastic) VP (Very Plastic)
		O (Organic)	None		Very Sticky)	

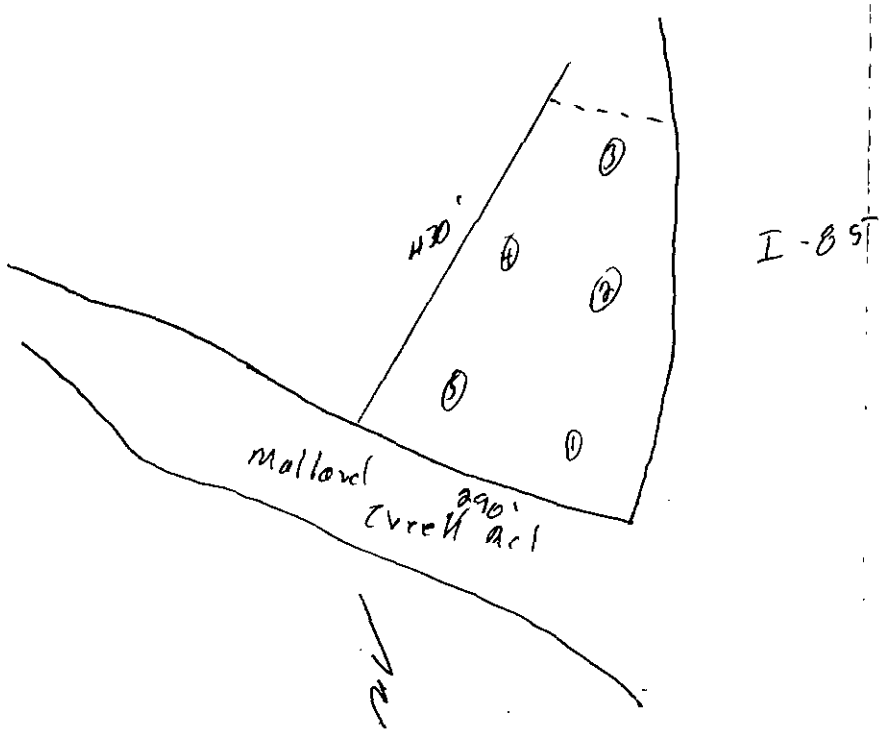
OTES

ORIZON DEPTH	In inches below natural soil surface
EPTH OF FILL	In inches from land surface
ESTRICTIVE HORIZON	Thickness and depth from land surface
IPROLITE	S(suitable) or U(unsuitable)
OIL WETNESS	Inches from land surface to free water or inches from land surface to soil colors with chroma 2 or less - record Munsell color chip designation
LASSIFICATION	S (Suitable), PS (Provisionally Suitable), or U (Unsuitable)

valuation of saprolite shall be by pits.

ong-term Acceptance Rate (LTAR): gal/day/ft²

Show profile locations and other site features (dimensions, reference or benchmark, and North).



DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL HEALTH
ON-SITE WASTEWATER SECTION

Sheet ___ of ___
PROPERTY ID #: ___
COUNTY: ___

SOIL/SITE EVALUATION for ON-SITE WASTEWATER SYSTEM

#3
1243B
PO 029-101-05

OWNER: Paul C. McAnulty
ADDRESS: 13932 Mallard Creek Rd. Mint.
PROPOSED FACILITY: residence
LOCATION OF SITE: Mallard Creek Rd
WATER SUPPLY: ☒ Private ☐ Public ☐ Well ☐ Spring ☐ Other
EVALUATION METHOD: ☐ Auger Boring ☐ Pit ☐ Cut
TYPE OF WASTEWATER: ☐ Sewage ☐ Industrial Process ☐ Mixed

APPLICANT: ___
APPLICATION DATE: ___
PROPOSED DESIGN FLOW (.1949): ___
DATE EVALUATED: ___
PROPERTY SIZE: 4.5
PROPERTY RECORDED: ___

PROFILE #	Slopes 5-10% .1940 LANDSCAPE POSITION/ SLOPE %	HORIZON DEPTH (IN.)	SOIL MORPHOLOGY (.1941) STRUCTURE/ TEXTURE	SOIL MORPHOLOGY (.1941) CONSISTENCE/ MINERALOGY	OTHER PROFILE FACTORS .1942 SOIL WETNESS/ COLOR	.1943 SOIL DEPTH	.1956 SAPRO CLASS	.1944 RESTR HORIZ	PROFILE CLASS & LTAR
1	LS	0-2"	sBK/scl	Fi/sExP/sSP	> 13" TO Chroma 2 Mottles	13"	N/A	None	US
		2-13"	sBK/c	Fi-VF/ExP/VS/VP					
2	LS	0-8"	sBK/scl	Fr/sExP/sSP	2.5Y 6/1 Mottles @ 21"	21"	N/A	None	US
		8-21"	sBK/c	Fi-VF/ExP/VS/VP					
3	LS	0-2"	sBK/cl	Fr/sExP/sSP	> 10" TO Chroma 2 Mottles	10"	N/A	None	US
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		6-10"	Massive/scl	Fi/ExP/sP					
5	LS	0-2"	sBK/cl	Fr/sExP/sSP	2.5YR 6/2 Mottles	7"	N/A	None	US
		2-7"	sBK/c	Fi-VF/ExP/VS/VP	@ 7"				

DESCRIPTION	INITIAL SYSTEM	REPAIR SYSTEM
Available Space (.1945)	US	US
System Type(s)		
Site LTAR		

OTHER FACTORS (.1946): ___
SITE CLASSIFICATION (.1948): Unsuitable
EVALUATED BY: William R. Merlin 3-16-94
OTHER(S) PRESENT: ___

OMMENTS: probably 100% Repair

LEGEND

use the following standard abbreviations

ANDSCAPE POSITION	GROUP	SOIL TEXTURE	CONVENTIONAL .1955 LTAR	LPP .1957 LTAR	MINERALOGY/ CONSISTENCE	STRUCTURE
C (Concave Slope)	I	S (Sand)	1.2 - 0.8	0.6 - 0.4	NEXP (Non-expansive)	G (Single Grain)
V (Convex Slope)		LS (Loamy Sand)			SEXP (Slightly Expansive)	M (Massive)
(Drainage Way)					EXP (Expansive)	CR (Crumb)
S (Debris Slump)	II	SL (Sandy Loam)	0.8 - 0.6	0.4 - 0.3		GR (Granular)
P (Flood Plain)		L (Loam)				SBK (Subangular Blocky)
S (Foot Slope)						ABK (Angular Blocky)
(Head Slope)	III	SI (Silt)	0.6 - 0.3	0.3 - 0.15		PL (Platy)
(Linear Slope)		SICL (Silty Clay Loam)				PR (Prismatic)
(Nose Slope)		CL (Clay Loam)				
(Ridge)		SCL (Sandy Clay Loam)			MOIST	WET
(Shoulder Slope)		SLC (Silt Loam Clay)				
(Terrace)					VFR (Very Friable)	NS (Non-sticky)
	IV	SC (Sandy Clay)	0.4 - 0.1	0.2 - 0.05	FR (Friable)	SS (Slightly Sticky)
		SIC (Silty Clay)			FI (Firm)	S (Sticky)
					VFI (Very Firm v. Very Sticky)	VS (Very Sticky)
		O (Organic)	None		EFI (Extremely Firm)	NP (Non-plastic)
						SP (Slightly Plastic)
						P (Plastic)
						VP (Very Plastic)

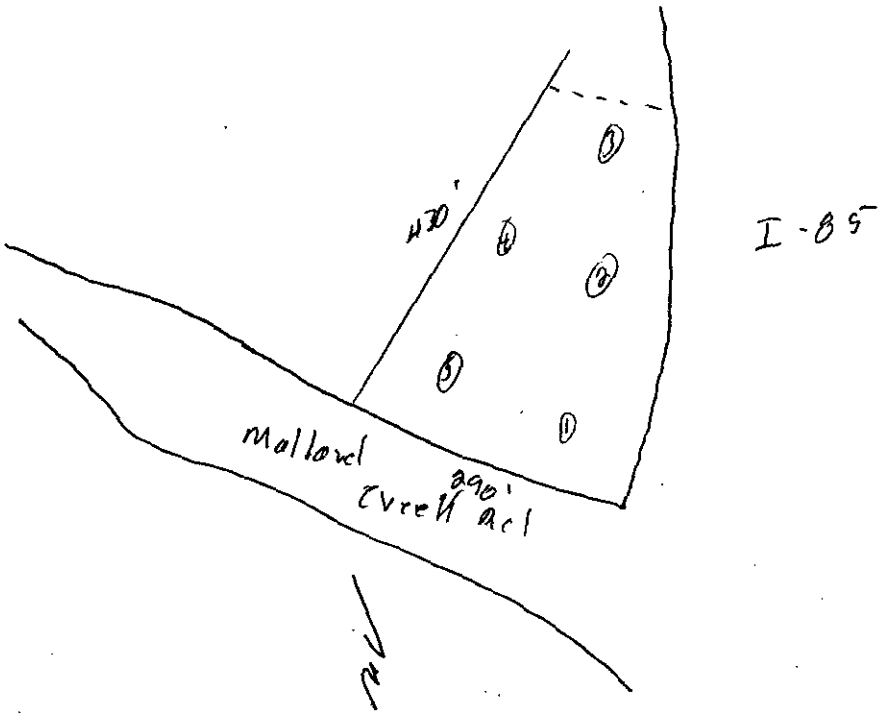
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LASSIFICATION	S (Suitable), PS (Provisionally Suitable), or U (Unsuitable)

valuation of saprolite shall be by pits.

ong-term Acceptance Rate (LTAR): gal/day/ft²

Show profile locations and other site features (dimensions, reference or benchmark, and North).



FEE: $160.00 CK#7313 / DATE: 2/16/96 JC

APPLICATION FOR IMPROVEMENT PERMIT FOR RESIDENTIAL SITE INDIVIDUAL WATER AND WASTEWATER SYSTEMS PROGRAM

[ ] CRT

TYPE APPLICATION: ✓ NEW SYSTEM __ EXPANSION/ ALTERATION OF EXISTING SYSTEM __ REPAIR OF EXISTING SYSTEM

NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL HEALTH
ON-SITE WASTEWATER SECTION



FILE #: 1243B

PROPERTY INFORMATION (FROM ENGINEERING FORM) FOR JOB LOCATION:

TAX/PARCEL NUMBER: 029-101-05 001

STREET ADDRESS: Mallard Creek Road

SUBDIVISION OR MOBILE HOME PARK NAME:

LOT NUMBER:

TYPE OF BUILDING (CHECK ONE):

__ SINGLE MOBILE HOME(S) __ MODULAR HOME (M)
__ DOUBLE WIDE (D) __ MULTIPLE FAMILY (U)
✓ HOUSE (H) __ OTHER (O)

TOWNSHIP (CHECK ONE):

✓ 0 MECKLENBURG __ 4 PINEVILLE
__ 1 CHARLOTTE __ 5 MATTHEWS
__ 2 DAVIDSON __ 6 HUNTERSVILLE
__ 3 CORNELIUS __ 7 MINT HILL

HEATED SQUARE FOOTAGE:

NUMBER OF BEDROOMS: 3 NUMBER OF OCCUPANTS: 2

FOUNDATION FOR RESIDENCE:

__ WITHOUT BASEMENT __ WITH BASEMENT /PLUMBING
__ ON SLAB __ WITH BASEMENT /NO PLUMBING
✓ CRAWL SPACE

IF EXPANSION/ALTERATION OF EXISTING SYSTEM, DESCRIBE THE PROPOSED BUILDING ADDITION:

WILL THERE BE A HOME BUSINESS IN THE RESIDENCE: __ YES ✓ NO TYPE: _____

WATER SUPPLY (CHECK ONE):

__ COMMUNITY (C) __ MUNICIPAL (M) ✓ PRIVATE WELL (P)
__ SHARED WELL (S) __ OTHER 'SPRINGS' (O)

IF ANY OF THE FOLLOWING ARE LOCATED ON THE PROPERTY, PLEASE SHOW LOCATION ON PLAT:

BURIED CABLES, LANDFILLS, STUMPHOLES __ YES ✓ NO
EXISTING WASTEWATER SYSTEMS __ YES ✓ NO
EASTMENTS OR RIGHT-OF-WAYS __ YES __ NO?
WELL, SPRINGS OR WATERLINES __ YES ✓ NO
DESIGNATED WETLANDS ✓ YES __ NO

PROPERTY OWNER: In Bank Ruptcy Court	LEGAL AGENT FOR PROPERTY OWNER, IF APPLICABLE:
NAME: McAnulty (LAST) Paul (FIRST) C (MI)	NAME: Bowen (LAST) Wayne (FIRST) E (MI)
ADDRESS: 13932 Mallard Cr. Rd	DAYTIME PHONE: 704 355-3587
CITY: Charlotte STATE: NC ZIP: 28262	504 Fisher St.
DAYTIME PHONE: ( ) -	Pineville, NC 28134

WHAT DATE WAS THE PROPERTY ORIGINALLY DEEDED AND RECORDED? _____

An Improvement Permit is subject to suspension or revocation if site plans or the intended use change or if information submitted in this application is falsified or changed. The undersigned, owner, or legal agent for the owner, of the property described above as the "Job Location" has read the foregoing application, acknowledges that the contents of same are true, and authorizes agents of the Mecklenburg County Health Department to enter onto the property for the purpose of processing this request.

SIGNED: Wayne Bowen DATE: 2/16/96

MECKLENBURG COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
c/o HAL MARSHALL CTR., SUITE 211, 700 N. TRYON ST., CHARLOTTE, N.C. 28202., (704) 336-5102

PROPOSED PLOT PLAN

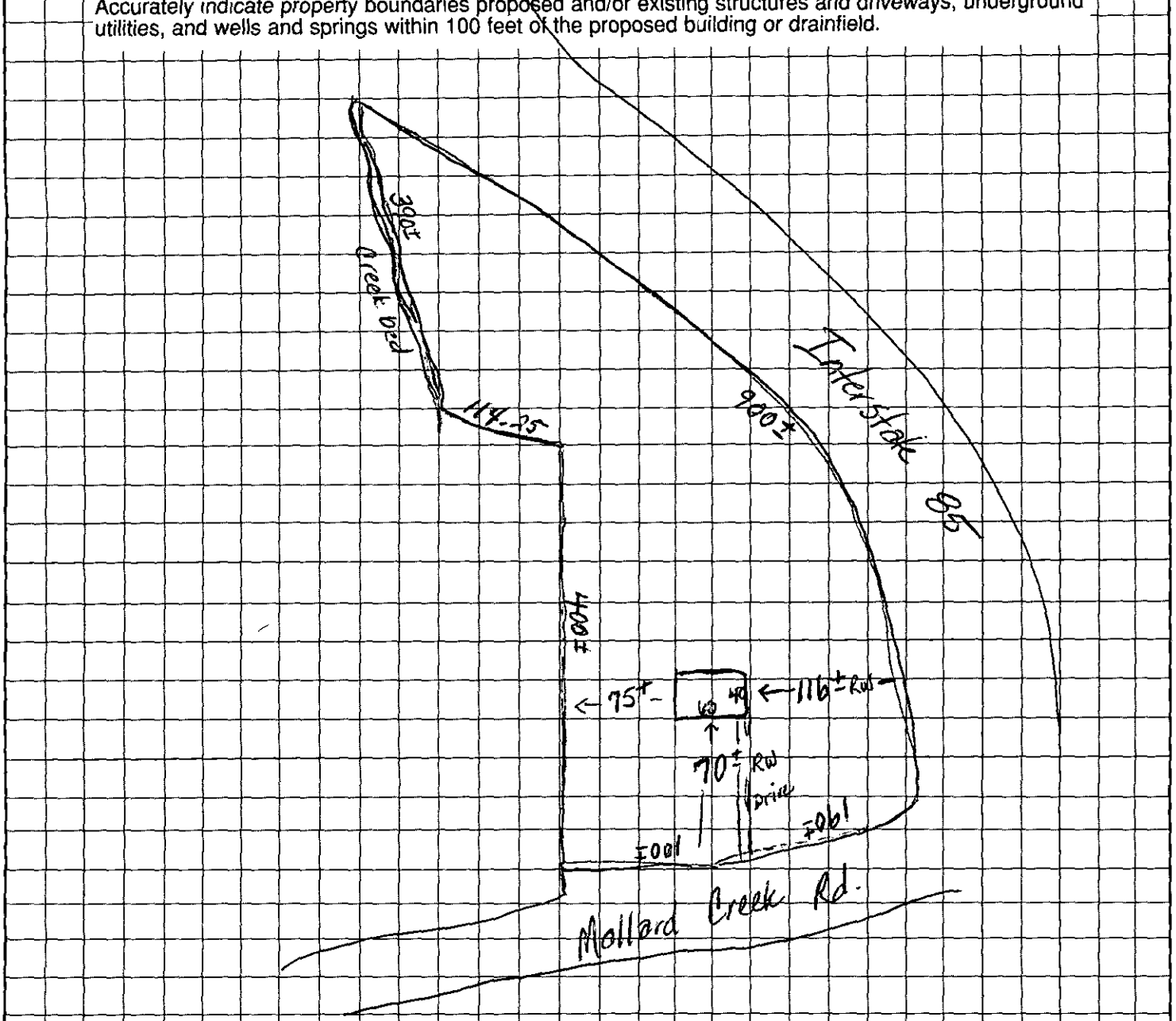
HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
700 NORTH TRYON STREET
CHARLOTTE, NC 28202
PHONE (704) 336-5102

FILE: 1243B

TC: 029-101-05

Tax # 029-101-05 001

Draw in and name all roads adjoining the property. Draw in and accurately dimension the lot concerned. Accurately indicate property boundaries proposed and/or existing structures and driveways, underground utilities, and wells and springs within 100 feet of the proposed building or drainfield.



Kathleen Bowen
OWNER/AGENT SIGNATURE

DATE 2/14/96

APPROVAL DATE _____

White - Health Department's Copy Canary - E.H.S. Copy Pink - Owner's Copy

11/29/96

DATE	DESCRIPTION	FEE	PAYMENT	ADJUST-MENT	BALANCE	PREVIOUS BALANCE	NAME
11/29/96	Septic/Well	100.00	100.00	—	—	—	Trent Rodgers

This is your RECEIPT for this amount
This is a STATEMENT of your account to date

4138

MECKLENBURG COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH OFFICE
700 NORTH TRYON STREET
CHARLOTTE, NORTH CAROLINA 28202
TELEPHONE: (704) 336-5102

13932 Mallard Creek Rd
T# 029-101-05
Wayne & Kelley Boren
Thank you

TREAT REALTY & AUCTION, INC.
PHONE 704-541-0600
P.O. BOX 470609
CHARLOTTE, NC 28247-0609

REALTOR®

EXPLANATION	AMOUNT	

3131

66-19-530

INT One hundred and no/100 DOLLARS

CHECK AMOUNT

TE	TO THE ORDER OF	DESCRIPTION	CHECK NUMBER	
9-9	Mecklenburg City Health Dept	Improvement Permit	3131	$100.00

Security features included. Details on back.

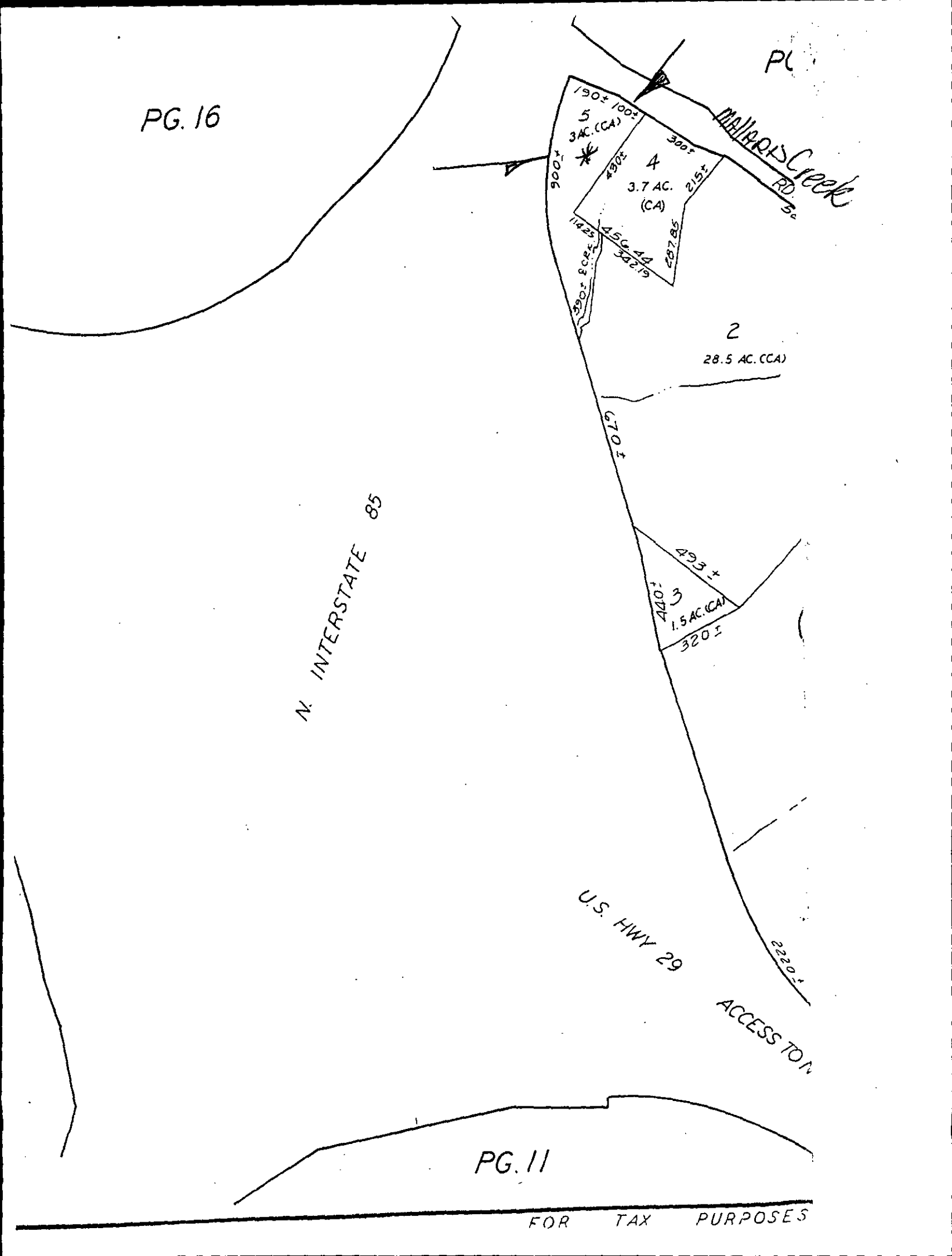
TREAT REALTY & AUCTION, INC.
SHARRELL S. TREAT

Sharrell S Treat

NATIONSBANK, NORTH CAROLINA, N.A.
CHARLOTTE, NC 28225

MP

⑈00003131⑈ ⑆053000196⑆ 00167533⑈


PG. 16
PG. 11
N. INTERSTATE 85
U.S. HWY 29
ACCESS TO
MALLARD Creek
RD.
5
3 AC. (CA)
4
3.7 AC.
(CA)
2
28.5 AC. (CA)
3
1.5 AC. (CA)
190±
100±
900±
430±
300±
215±
670±
493±
440±
320±
2220±
FOR TAX PURPOSES

OFFER TO PURCHASE AND CONTRACT

Wayne & Kathy Bowen as Buyer, hereby offers to purchase and A. Burton Shuford, Trustee, Bankruptcy Est. of W. McAnally, as Seller, upon acceptance of said offer, agrees to sell and convey, all of that plot, piece or parcel of land described below, together with all improvements located thereon and such personal property as is listed below (the real and personal property are collectively referred to as "the Property"), in accordance with the Standard Provisions on the REVERSE SIDE HEREOF and upon the following terms and conditions:

1. **REAL PROPERTY**: Located in the City of Charlotte, County of, Mecklenburg, State of North Carolina, being known as and more particularly described as:
Street Address 13932 Mallard Creek Rd Zip 28262
Legal Description tax # 029-101-05
Deed Book / Page 6498 0583

2. **PERSONAL PROPERTY**: n/a

3. **PURCHASE PRICE**: The purchase price is $ 18,500 and shall be paid as follows:

(a) $ 1,000, in earnest money paid by personal check (cash; bank, certified or personal check) with the delivery of this contract, to be held in escrow by Coldwell Banker as agent, until the sale is closed, at which time it will be credited to Buyer, or until this contract is otherwise terminated and it is disbursed in accordance with the Standard Provisions on the REVERSE SIDE HEREOF;

(b) $ na, by assumption of the unpaid principal balance and all obligations of Seller on the existing loan secured by a deed of trust on the Property;

(c) $ na, by a promissory note secured by a purchase money deed of trust on the Property with interest prior to default at the rate of na % per annum payable as follows: na

Prepayment restrictions and/or penalties, if any, shall be: na

Assumption or transfer rights, if any, shall be: na

(d) $ 17,500, the balance of the purchase price in cash at closing.

4. **CONDITIONS**: (State N/A in each blank of paragraph 4(a) and 4(b) that is not a condition to this contract.)

(a) The Buyer must be able to obtain a firm commitment on or before na, effective through the date of closing, for a na loan in the principal amount of $ na for a term of na year(s), at an interest rate not to exceed na % per annum, with mortgage loan discount points not to exceed na % of the loan amount. Buyer agrees to use his best efforts to secure such commitment and to advise Seller immediately upon receipt of the lender's decision. If Seller is to pay any loan closing costs, those costs are as follows:

(b) The Buyer must be able to assume the unpaid principal balance of the existing loan described in paragraph 3(b) above for the remainder of the loan term, at an interest rate not to exceed na % per annum fixed (or describe type of loan) na, with mortgage loan assumption and/or discount points not to exceed na % of the loan balance. (See Standard Provision No. 2) If such assumption requires the lender's approval, approval must be granted on or before na. Buyer agrees to use his best efforts to secure such approval and to advise Seller immediately upon his receipt of the lender's decision. If Seller is to pay any loan assumption costs, those costs are as follows:

(c) There must be no restriction, easement, zoning or other governmental regulation that would prevent the reasonable use of the real property for residential purposes.

5. **ASSESSMENTS**: Seller warrants that there are no special assessments, either pending or confirmed, for sidewalk, paving, water, sewer or other improvements on or adjoining the Property, except as follows: none
(Insert "None" or the identification of such assessments, if any. The agreement for payment or proration of any assessments indicated is to be set forth in paragraph 6 below.)

6. **OTHER PROVISIONS AND CONDITIONS**:

(a) All of the Standard Provisions on the REVERSE SIDE HEREOF are understood and shall apply to this instrument, except the following numbered Standard Provisions shall be deleted: (If none are to be deleted, state "None".) 2,3,5,8,9,11,X

b. Subject to US Bankruptcy Court approval. c. Contigent upon seller, Mecklenburg County Health Dept approving site for a 1500 gal septic system with a 500 ln ft of lines gravity infiltrated for a 3br home. Inspection to be ordered; buyer to remburse agent $100 for initial inspection fee at closing.

IF THERE ARE ANY ADDENDA TO THIS CONTRACT, INDICATE ABOVE AND ATTACH HERETO.

7. **CLOSING**: All parties agree to execute any and all documents and papers necessary in connection with closing and transfer of title on or before February 29, 1996, at a place designated by Seller.
The deed is to be made to as directed.

8. **POSSESSION**: Possession shall be delivered upon closing.
In the event that Buyer has agreed that possession is not delivered at closing, then Seller agrees to pay to Buyer the sum of $ na per day from and including the date of closing to and including the date that possession is to be delivered as above set forth.

9. **COUNTERPARTS**: This offer shall become a binding contract when signed by both Buyer and Seller. It is to be signed in 4 counterparts with a signed counterpart being retained by each party hereto and the escrow agent, if any.

Date of Offer 1-21-96 Date of Acceptance:

Buyer Wayne Bowen (SEAL) SELLER (SEAL)

Buyer Kathryn Bowen (SEAL) SELLER (SEAL)

I hereby acknowledge receipt of the earnest money herein set forth and agree to hold and disburse the same in accordance with the terms hereof.

Date 1-21-96 Firm Coldwell Banker

By:

REALTOR®

Selling Agent/Firm Coldwell Banker — Acting as ☒ Buyer's Agent ☐ Seller's (sub)agent ☐ Dual Agent

Listing Agent/Firm Treat Realty & Auction, Inc/Sharrell Treat — Acting as ☒ Seller's (sub)agent ☐ Dual Agent

This Standard Form has been approved jointly by the:
NORTH CAROLINA BAR ASSOCIATION as Form No. 2
NORTH CAROLINA ASSOCIATION OF REALTORS®, INC. as Standard Form No. 301
Copyright © 2/95

File 1238

Date of Offer 1-21-96 Date of Acceptance: _____

Buyer Wayne Bowen (SEAL) SELLER _____ (SEAL)

Buyer Kathryn Bowen (SEAL) SELLER _____ (SEAL)

I hereby acknowledge receipt of the earnest money herein set forth and agree to hold and disburse the same in accordance with the terms hereof.

Date 1-21-96 Firm Coldwell Banker

By: Cary Hunt

REALTOR®

Selling Agent/Firm Coldwell Banker / Cary Hunt Acting as ☒ Buyer's Agent ☐ Seller's (sub)agent ☐ Dual Agent

Listing Agent/Firm Treat Realty & Auction, Inc/Sharrell Treat Acting as ☒ Seller's (sub)agent ☐ Dual Agent

This Standard Form has been approved jointly by the:

NORTH CAROLINA BAR ASSOCIATION as Form No. 2

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File 1243B

FEE: $700.00 CK #3131 / DATE: 2/16/96 3C

APPLICATION FOR IMPROVEMENT PERMIT FOR RESIDENTIAL SITE INDIVIDUAL WATER AND WASTEWATER SYSTEMS PROGRAM

[ ] CRT

TYPE APPLICATION: [✓] NEW SYSTEM [ ] EXPANSION/ ALTERATION OF EXISTING SYSTEM [ ] REPAIR OF EXISTING SYSTEM

NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT,
HEALTH, AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL HEALTH
ON-SITE WASTEWATER SECTION

FILE #: 1243B

PROPERTY INFORMATION (FROM ENGINEERING FORM) FOR JOB LOCATION:

TAX/PARCEL NUMBER: 029-101-05 001

STREET ADDRESS: Mallard Creek Road

SUBDIVISION OR MOBILE HOME PARK NAME:

LOT NUMBER: Approx 1.5

TYPE OF BUILDING (CHECK ONE):

[ ] SINGLE MOBILE HOME(S) [ ] MODULAR HOME (M)
[ ] DOUBLE WIDE (D) [ ] MULTIPLE FAMILY (U)
[✓] HOUSE (H) [ ] OTHER (O)

TOWNSHIP (CHECK ONE):

[✓] 0 MECKLENBURG [ ] 4 PINEVILLE
[ ] 1 CHARLOTTE [ ] 5 MATTHEWS
[ ] 2 DAVIDSON [ ] 6 HUNTERSVILLE
[ ] 3 CORNELIUS [ ] 7 MINT HILL

11214 Green Dolphin
001-091-034
Below 10504 #03

HEATED SQUARE FOOTAGE:

NUMBER OF BEDROOMS: 3 NUMBER OF OCCUPANTS: 2

FOUNDATION FOR RESIDENCE:

[ ] WITHOUT BASEMENT
[ ] ON SLAB
[✓] CRAWL SPACE
[ ] WITH BASEMENT /PLUMBING
[ ] WITH BASEMENT /NO PLUMBING

IF EXPANSION/ALTERATION OF EXISTING SYSTEM, DESCRIBE THE PROPOSED BUILDING ADDITION:

WILL THERE BE A HOME BUSINESS IN THE RESIDENCE: [ ] YES [✓] NO TYPE: _____

WATER SUPPLY (CHECK ONE):

[ ] COMMUNITY (C) [ ] MUNICIPAL (M) [✓] PRIVATE WELL (P)
[ ] SHARED WELL (S) [ ] OTHER 'SPRINGS' (O)

IF ANY OF THE FOLLOWING ARE LOCATED ON THE PROPERTY, PLEASE SHOW LOCATION ON PLAT:

BURIED CABLES, LANDFILLS, STUMPHOLES [ ] YES [✓] NO
EXISTING WASTEWATER SYSTEMS [ ] YES [✓] NO
EASTMENTS OR RIGHT-OF-WAYS [ ] YES [ ] NO?
WELL, SPRINGS OR WATERLINES [ ] YES [✓] NO
DESIGNATED WETLANDS [✓] YES [ ] NO

PROPERTY OWNER: In Bankruptcy Court

NAME: McAnulty (LAST) Paul (FIRST) C (MI)

ADDRESS: 13932 Mallard Cr. Rd

CITY: Charlotte STATE: NC ZIP: 28262

DAYTIME PHONE: ( ) –

LEGAL AGENT FOR PROPERTY OWNER, IF APPLICABLE:

NAME: Bowen (LAST) Wayne (FIRST) E (MI)

DAYTIME PHONE: 704 355-3587

504 Fisher St.
Pineville, NC 28134

WHAT DATE WAS THE PROPERTY ORIGINALLY DEEDED AND RECORDED? _____

An Improvement Permit is subject to suspension or revocation if site plans or the intended use change or if information submitted in this application is falsified or changed. The undersigned, owner, or legal agent for the owner, of the property described above as the "Job Location" has read the foregoing application, acknowledges that the contents of same are true, and authorizes agents of the Mecklenburg County Health Department to enter onto the property for the purpose of processing this request.

SIGNED: Wayne Bowen DATE: 2/16/96

MECKLENBURG COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
c/o HAL MARSHALL CTR., SUITE 211, 700 N. TRYON ST., CHARLOTTE, N.C. 28202., (704) 336-5102

PROPOSED PLOT PLAN

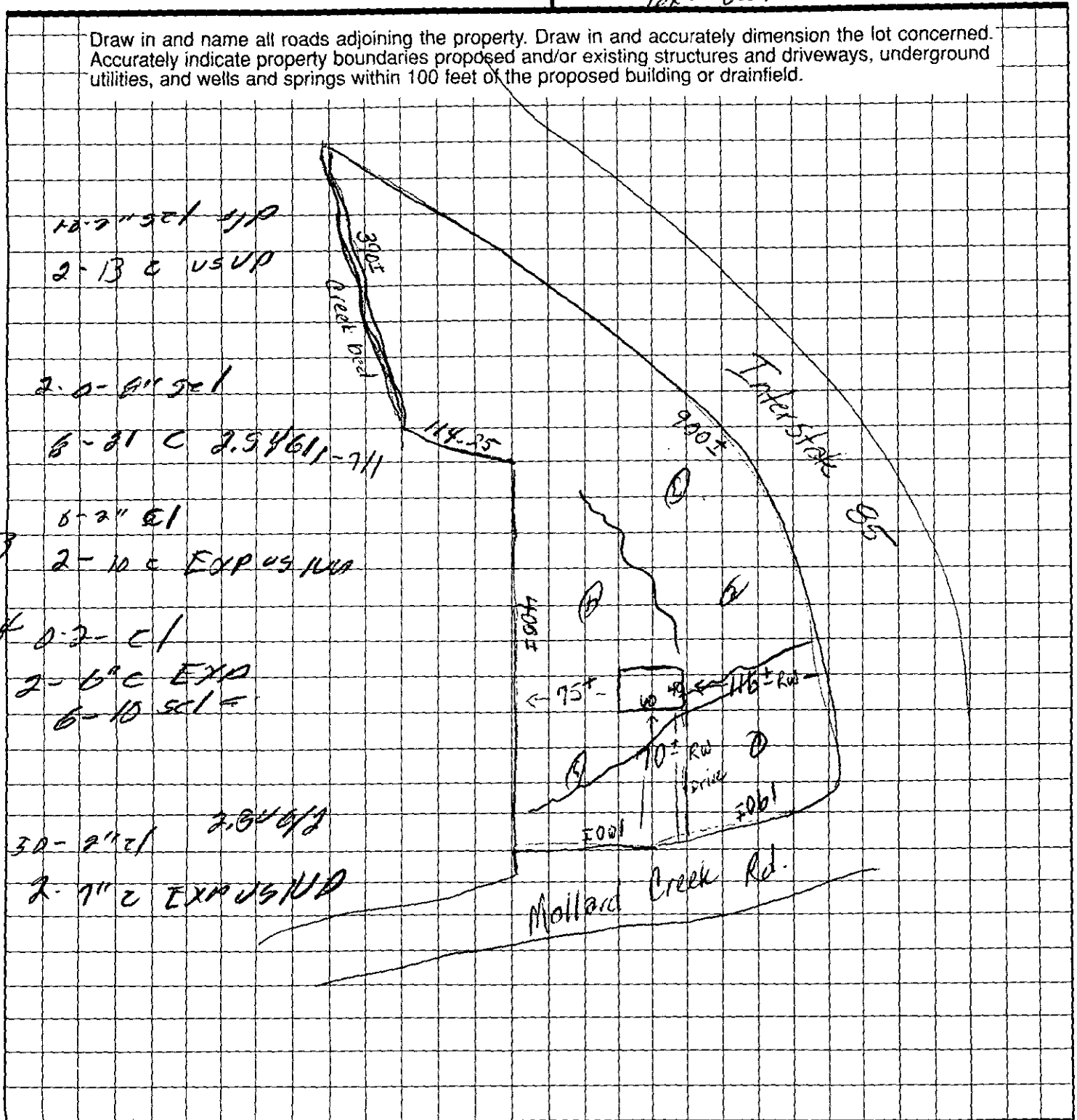
HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
700 NORTH TRYON STREET
CHARLOTTE, NC 28202
PHONE (704) 336-5102

FILE: 1243B

TC: 029-101-05

Tax # 029-101-05 001

Draw in and name all roads adjoining the property. Draw in and accurately dimension the lot concerned. Accurately indicate property boundaries proposed and/or existing structures and driveways, underground utilities, and wells and springs within 100 feet of the proposed building or drainfield.



Kathleen Brown
OWNER/AGENT SIGNATURE

DATE 2/14/96

APPROVAL DATE _____

White - Health Department's Copy Canary - E.H.S. Copy Pink - Owner's Copy

OFFER TO PURCHASE AND CONTRACT

Wayne & Kathy Bowen as Buyer, hereby offers to purchase and A. Burton Shuford, Trustee - Bankruptcy Est. 2:90-MC-Ano-Hy. as Seller, upon acceptance of said offer, agrees to sell and convey, all of that plot, piece or parcel of land described below, together with all improvements located thereon and such personal property as is listed below (the real and personal property are collectively referred to as "the Property"), in accordance with the Standard Provisions on the REVERSE SIDE HEREOF and upon the following terms and conditions:

1. **REAL PROPERTY**: Located in the City of Charlotte, County of, Mecklenburg State of North Carolina, being known as and more particularly described as:
Street Address 13932 Mallard Creek Rd Zip 28262.
Legal Description tax # 029-101-05
Deed Book / Page 6498 0583

2. **PERSONAL PROPERTY**: n/a

3. **PURCHASE PRICE**: The purchase price is $ 18,500 and shall be paid as follows:

(a) $ 1,000, in earnest money paid by personal check (cash; bank, certified or personal check) with the delivery of this contract, to be held in escrow by Coldwell Banker as agent, until the sale is closed, at which time it will be credited to Buyer, or until this contract is otherwise terminated and it is disbursed in accordance with the Standard Provisions on the REVERSE SIDE HEREOF;

(b) $ na, by assumption of the unpaid principal balance and all obligations of Seller on the existing loan secured by a deed of trust on the Property;

(c) $ na, by a promissory note secured by a purchase money deed of trust on the Property with interest prior to default at the rate of na % per annum payable as follows: na

Prepayment restrictions and/or penalties, if any, shall be: na

Assumption or transfer rights, if any, shall be: na

(d) $ 17,500, the balance of the purchase price in cash at closing.

4. **CONDITIONS**: (State N/A in each blank of paragraph 4(a) and 4(b) that is not a condition to this contract.)

(a) The Buyer must be able to obtain a firm commitment on or before na, effective through the date of closing, for a na loan in the principal amount of $ na for a term of na year(s), at an interest rate not to exceed na % per annum, with mortgage loan discount points not to exceed na % of the loan amount. Buyer agrees to use his best efforts to secure such commitment and to advise Seller immediately upon receipt of the lender's decision. If Seller is to pay any loan closing costs, those costs are as follows:

(b) The Buyer must be able to assume the unpaid principal balance of the existing loan described in paragraph 3(b) above for the remainder of the loan term, at an interest rate not to exceed na % per annum fixed (or describe type of loan) na, with mortgage loan assumption and/or discount points not to exceed na % of the loan balance. (See Standard Provision No. 2) If such assumption requires the lender's approval, approval must be granted on or before na. Buyer agrees to use his best efforts to secure such approval and to advise Seller immediately upon his receipt of the lender's decision. If Seller is to pay any loan assumption costs, those costs are as follows:

(c) There must be no restriction, easement, zoning or other governmental regulation that would prevent the reasonable use of the real property for residential purposes.

5. **ASSESSMENTS**: Seller warrants that there are no special assessments, either pending or confirmed, for sidewalk, paving, water, sewer or other improvements on or adjoining the Property, except as follows: none
(Insert "None" or the identification of such assessments, if any. The agreement for payment or proration of any assessments indicated is to be set forth in paragraph 6 below.)

6. **OTHER PROVISIONS AND CONDITIONS**:

(a) All of the Standard Provisions on the REVERSE SIDE HEREOF are understood and shall apply to this instrument, except the following numbered Standard Provisions shall be deleted: (If none are to be deleted, state "None".) 2,3,5,8,9,11,X

b.Subject to US Bankruptcy Court approval. c. Contigent upon seller,Mecklenburg County Health Dept approving site for a 1500 gal septic system with a 500 ln ft of lines gravity infiltrated for a 3br home. Inspection to be ordered; buyer to remburse agent $100 for initial inspection fee at closing.

IF THERE ARE ANY ADDENDA TO THIS CONTRACT, INDICATE ABOVE AND ATTACH HERETO.

7. **CLOSING**: All parties agree to execute any and all documents and papers necessary in connection with closing and transfer of title on or before February 29, 1996, at a place designated by Seller.
The deed is to be made to as directed.

8. **POSSESSION**: Possession shall be delivered upon closing.
In the event that Buyer has agreed that possession is not delivered at closing, then Seller agrees to pay to Buyer the sum of $ na per day from and including the date of closing to and including the date that possession is to be delivered as above set forth.

9. **COUNTERPARTS**: This offer shall become a binding contract when signed by both Buyer and Seller. It is to be signed in 4 counterparts with a signed counterpart being retained by each party hereto and the escrow agent, if any.

Date of Offer 1-21-96 Date of Acceptance:

Buyer Wayne Bowen (SEAL) SELLER (SEAL)

Buyer Kathryn Bowen (SEAL) SELLER (SEAL)

I hereby acknowledge receipt of the earnest money herein set forth and agree to hold and disburse the same in accordance with the terms hereof.

Date 1-21-96 Firm Coldwell Banker

By:

Selling Agent/Firm Coldwell Banker Acting as ☒ Buyer's Agent ☐ Seller's (sub)Agent ☐ Dual Agent

Listing Agent/Firm Treat Realty & Auction, Inc/Sharrell Treat Acting as ☒ Seller's (sub)Agent ☐ Dual Agent

REALTOR®

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File 1243B

QUALIFICATIONS

TOM SYDES .....
Real Estate Salesman
CAI Auctioneer
College Professor
Personal Property Appraiser
NCAL #5837 NCRE #143540

SHARRELL TREAT .....
Real Estate Broker
CAI Auctioneer
Insurance Agent
Elementary Teacher
NCAL #3901 NCRE #64849
SCAL#1511-R SCRE #9397

Clients Include .....
Attorneys, Accountants, Resolution Trust Corporation, U.S. Government Agencies, Courts, Nursing Homes, Businesses, Insurance Companies,
&
YOU

1-800-864-0377
Office (704) 541-0600
Sharrell (704) 542-9289
Tom (704) 541-7707



Tom Sydes



Treat Realty



Sharrell Treat

TREAT REALTY & AUCTION, INC.



Tom Sydes **Sharrell Treat**

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Office (704) 541-0600
Sharrell (704) 542-9289
Tom (704) 541-7707

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(704) 554-9800 RESIDENCE

COLDWELL BANKER

LANE HUDSON
Sales Associate

MULTIPLE LISTING SERVICE
MLS

COLDWELL BANKER FLOUHOUSE, REALTORS®
2901 PROVIDENCE ROAD
CHARLOTTE, NC 28211

An Independently Owned and Operated Member of Coldwell Banker Residential Affiliates, Inc.

Treat Realty & Auctions, Inc.



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