

**PLANNING BOARD
APRIL 13, 2023
5:30 PM**



**BRYANT H. WOMACK
BUILDING
40 COURTHOUSE ST.
COLUMBUS, NC 28756**

-
1. Call to Order
 2. Approval of Agenda
 3. Approval of Minutes
 - A. March 9, 2023 Minutes
 4. Staley Contracting, LLC, Minor Subdivision - 3 lots, P84-182, 3.5 acres, Columbus Township
 5. Derbyshire Recombination, P97-268, Community Space
 6. Other Business
 7. Public Comments
 8. Adjournment

POLK COUNTY PLANNING BOARD

AGENDA ITEM

APRIL 13, 2023 REGULAR MEETING

Agenda Item#: A.

ATTACHMENTS:

Description

Type

Upload Date

March 9, 2023 Minutes

Cover Memo

4/6/2023

PLANNING BOARD
March 9, 2023 - 5:30 PM
Bryant H. Womack Building
40 Courthouse Street
Columbus, NC 28722
MINUTES

Members Present: Libby Morris, Warren Eadus, Edward Daniel, Chris Jones, Anwar Timol, Warren Watson, Tony Dale
Members Absent: Lisa Krolak
Staff Present: Cathy Ruth, Chelsea Allen, Sarah Zoellers

1. Call to Order

Warren Eadus called the meeting to order at 5:33pm.

2. Approval of Agenda

A motion to approve the agenda was made by Ed Daniel, seconded by Chris Jones. All in favor, motion carried unanimously.

3. Approval of Minutes

A. Approval of Minutes from February 9, 2023

Chris Jones made a motion to approve the minutes from February 9, 2023, seconded by Ed Daniel. A vote was taken and all were in favor, the motion carried unanimously.

4. McMurray Family Trust - Minor Subdivision - 4 lots, Green Creek Township, P130-19, Total Acreage: 43.3 acres, Average Lot Size: 10.56 acres.

Cathy Ruth presented the proposed McMurray Family Trust Minor Subdivision. She stated the proposed 4-lot Minor Subdivision met the current requirements of the Polk County Subdivision Ordinance and the applicant obtained North Carolina Department of Transportation (NCDOT) approval.

Chris Jones made a motion to approve the McMurray Family Trust Subdivision, seconded by Anwar Timol. A vote was taken and all were in favor, the motion carried unanimously.

5. Peniel Farm - Minor Subdivision - 4 Lots, Columbus Township, P60-38, Total Acreage: 4.5 acres, Average Lot Size: 1.125 acres

Cathy Ruth presented the proposed Peniel Farm Minor Subdivision to the Board. The applicant received approval from North Carolina Department of Transportation (NCDOT) for approval to install a driveway. Cathy Ruth explained Lot 1 had a small building not meeting the 15' side setback. She recommended approval of the subdivision pending the building be moved or lot

line be adjusted to meet the setback requirements.

Warren Eadus made a motion to approve the Peniel Farm Minor Subdivision with the aforementioned stipulation, seconded by Libby Morris. A vote was taken and all were in favor, the motion carried unanimously.

6. Other Business

Cathy Ruth updated the Board on the timeline for submitting the zoning ordinance amendments to the Board of Commissioners.. She gave an update on the Census appeal process. And participation in the Polk County Middle School Career Day on February 16, 2023.

7. Public Comments

None.

8. Adjournment

Warren Eadus adjourned the meeting at 6:11 pm.

POLK COUNTY PLANNING BOARD

AGENDA ITEM

APRIL 13, 2023 REGULAR MEETING

Agenda Item#: 4.

ATTACHMENTS:

Description	Type	Upload Date
Staley Construction, LLC, Minor Subdivision - 3 lots, P84-182, 3.5 acres, Columbus Township	Cover Memo	4/6/2023
Plat P84-182	Cover Memo	4/6/2023

3 Residential Houses approx 1.2 Acres a house.

MINOR SUBDIVISION AND MAJOR SUBDIVISION APPLICATION

PERMIT #

1. APPLICATION TYPE

Minor Subdivision (2-4 Lots) ☒

Major Subdivision (5+ Lots) ☐

NOTE: A PRE-APPLICATION CONFERENCE WITH THE SUBDIVISION ADMINISTRATOR PRIOR TO SUBMITTING THE PERMIT APPLICATION IS RECOMMENDED.

2. PROJECT INFORMATION

Date of Application 3-4-13

Name of Project

Location

Property Size (Acres) 3.5

County District

City or Town

Current Use and Type

Proposed Use and Type

Tax Parcel Number(s)

Proposed # of Lots 3

3. CONTACT INFORMATION

Project Owner

1583 Pine Ridge Rd

1583 Pine Ridge Rd

Address

City, State, Zip

828-988-3518

828-988-3518

Telephone

Cellular

828-988-3518

Applicant's Agent (Registered Engineer, Designer, Developer, Surveyor, etc.)

1583 Pine Ridge Rd

City, State, Zip

(828) 988-3518

Cellular

Department at 828 824 2732

OWNER / APPLICANT SIGNATURE

DATE

3-4-13

FOR STATE USE ONLY

Permit Number

County District

City, State, Zip



MINOR SUBDIVISION AND MAJOR SUBDIVISION APPLICATION

PERMIT # _____

1. APPLICATION TYPE

Minor Subdivision (2-8 Lots) ☒Major Subdivision (9+ Lots) ☐

NOTE: A PRE-APPLICATION CONFERENCE WITH THE SUBDIVISION ADMINISTRATOR PRIOR TO SUBMITTING THE PRELIMINARY PLAT FOR A MAJOR SUBDIVISION IS RECOMMENDED.

2. PROJECT INFORMATION

Date of Application 3-4-23 Name of Project _____Location _____ Property Size (acres) 3.5

Zoning District _____ Date of Last Subdivision _____

Current Land Use None Proposed Land Use Restroom HousesTax Parcel Number(s) _____ Proposed # of Lots 3

3. CONTACT INFORMATION

Staley Contracting LLC
Property Owner
4283 pea Ridge Rd
Address Rutherfordton NC 28139
828-986-3548
Telephone StaleyLlc@gmail.com
E-mail Address

S S
Applicant / Agent (Registered Engineer, Designer, Developer, Surveyor, etc.)
4283 pea Ridge Rd Rutherfordton NC 28139
Address Rutherfordton NC 28139
(828) 980-3548
Telephone _____
E-mail Address _____

If you have any questions regarding these requirements, please contact the Polk County Community Development Department at 828.894.2732.

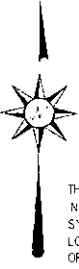
OWNER / APPLICANT SIGNATURE S S DATE 3-4-23

FOR STAFF USE ONLY

Permit Number _____ Flood? Yes ☐ Map # _____ No ☐Fee _____ Watershed? Yes ☐ Map # _____ No ☐

Zoning District _____ Location # _____

Staff Signature _____ Date _____



NORTH ARROW BASED ON
CARD FILE G, PAGE 317
POLK COUNTY REGISTRY.

THE POLK COUNTY HEALTH DEPARTMENT HAS EXPRESSED
NO OPINION AS TO THE SUITABILITY OF PRIVATE SEPTIC
SYSTEMS OR WATER SYSTEMS ON THIS PROPERTY. EACH
LOT IS SUBJECT TO INDIVIDUAL INSPECTION AND APPROVAL
OF SEPTIC SYSTEMS.

NOTES:
THIS PARCEL IS SUBJECT TO ALL EASEMENTS AND
RESTRICTIONS OF RECORD.

NO TITLE SEARCH PERFORMED BY BUTLER ASSOCIATES.

ALL DISTANCES ARE GROUND DISTANCES IN U.S. SURVEY
FEET UNLESS OTHERWISE NOTED.

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD
HAZARD AS DETERMINED BY THE FEDERAL INSURANCE
RATE MAP OF NORTH CAROLINA.

CURRENT OWNER(S):
STALEY CONTRACTING LLC
4283 PEA RIDGE RD. RUTHERFORDTON,
NC 28139

Certificate of Ownership and Dedication. I hereby certify that I
am (we are) the owner(s) of the property shown and described
hereon, and that I (we) hereby adopt this plan of subdivision
with my (our) free consent, and dedicate all roads and other
easements to public use, where applicable.

Owner(s)

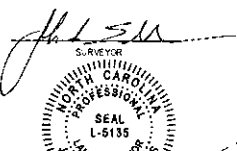
Date

LEGEND:

- NIR - NEW IRON ROD
- CM - CONCRETE MONUMENT
- EIP - EXISTING IRON PIPE
- EIR - EXISTING IRON ROD
- MN - MAG NAIL
- AG - ABOVE GRADE
- BG - BELOW GRADE
- ⊙ - ELECTRICAL
- ⚡ - FIRE HYDRANT
- ⊙ - AREA LIGHT
- ⊙ - WELL/WATER METER
- - CALCULATED/UNMARKED POINT
- == DRIVE/ROAD
- APPROX. ADJOINING LINE
- APPARENT R/W
- OVERHEAD UTILITIES
- BOUNDARY LINE

NOTE:
THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE
AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE
THAT REGULATES PARCELS OF LAND 0.5 - 47-30(7)(1)(A)

STATE OF NORTH CAROLINA, POLK COUNTY, I, JOSHUA L. EDWARDS
CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION
FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION-BASED
DESCRIPTION RECORDED IN BOOK 423 PAGE 1558. BOOK 423
PAGE 1558, ETC., THAT THE RATIO OF PRECISION AS CALCULATED
BY LATITUDES AND DEPARTURES IS 1/10,000. THAT THE BOUNDARIES
NOT SURVEYED ARE SHOWN AS BROKEN LINES PULLED FROM
INFORMATION FOUND IN BOOK 423 PAGE 1558. THAT THIS MAP WAS
PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS
MY HAND AND SEAL THIS 1ST DAY OF MARCH, 2023.



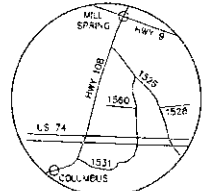
NCOS MONUMENT
9 JS 6, PID-009102
NORTHING: 570942.45 ± ft
EASTING: 106080.39 ± ft
NAD 83 (2011)
COMBINED FACTOR: 0.99963001

SITE DATA
CURRENT ZONING MU
SETBACKS: FRONT - 25', SIDES - 15' AND REAR - 25'
SETBACKS TO BE CONFIRMED BEFORE CONSTRUCTION
TOTAL ACREAGE: 3.51 ±/-
TOTAL NUMBER OF LOTS: 3
AVERAGE LOT SIZE: 1.17
CURRENT USE: VACANT
FUTURE USE: RESIDENTIAL
NO GRAINING IS TO TAKE PLACE AT THIS TIME.
NO STORM WATER MANAGEMENT AT THIS TIME.
NO DRIVEWAYS ARE BEING BUILT AT THIS TIME.
NO EROSION CONTROL PLAN. NO PROPERTY IS BEING DISTURBED.

STATE OF NORTH CAROLINA

POLK COUNTY
OFFICE OF REGISTER OF DEEDS
FILED FOR RECORD THIS THE _____ DAY
OF _____ 20____ AT _____ O'CLOCK _____ M
AND DULY REGISTERED IN SAID OFFICE
CARD FILE _____ PAGE _____

REGISTER OF DEEDS



VICINITY MAP
(NOT TO SCALE)

Gravel

REVIEW OFFICER CERTIFICATION

STATE OF NORTH CAROLINA
COUNTY OF POLK

I, Joshua L. Edwards, REVIEW OFFICER OF
POLK COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH
THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY
REQUIREMENTS FOR RECORDING

REVIEW OFFICER Joshua L. Edwards DATE 3-2-23

CERTIFICATE OF APPROVAL FOR RECORDING FINAL PLAT

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWS
HEREON HAS BEEN FOUND TO COMPLY WITH THE POLK
COUNTY, NORTH CAROLINA SUBDIVISION ORDINANCE AND
THAT THIS PLAT HAS BEEN APPROVED FOR RECORDATION
WITH THE POLK COUNTY REGISTER OF DEEDS.

SUBDIVISION ADMINISTRATOR Joshua L. Edwards DATE 3-2-23

NC FIRM LICENSE NO. P-1922
RATIO OF PRECISION: 1:10,000
D-152-41

GRAPHIC SCALE 1" = 60'
0 60 120 180

LOT	BEARING	DISTANCE	AREA
1	N 87°15'20" E	56.30	1.18 Acres
2	N 88°09'02" W	128.11	1.06 Acres
3	N 75°38'28" E	23.91	1.27 Acres
4	N 28°35'03" E	58.33	
5	N 24°05'00" E	45.68	
6	N 24°57'58" E	61.33	
7	N 29°27'24" E	51.23	
8	N 30°14'20" E	61.90	
9	N 45°34'54" E	56.42	
10	N 50°04'44" E	51.28	
11	N 55°59'38" E	70.82	
12	N 57°48'03" W	55.72	

TAX PARCEL:
P84-182

14462B

POLK COUNTY PLANNING BOARD

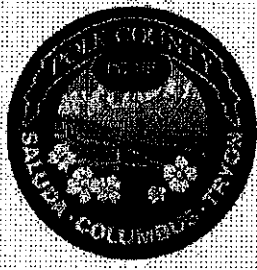
AGENDA ITEM

APRIL 13, 2023 REGULAR MEETING

Agenda Item#: 5.

ATTACHMENTS:

Description	Type	Upload Date
Derbyshire - Recombination, P97-268	Cover Memo	4/11/2023



POLK COUNTY, NC

35 Walker Street • PO Box 308 • Columbus, NC 28722 • Phone: 828-894-2732 • Fax: 828-894-2913

TWO-LOT SUBDIVISION, EXPEDITED THREE-LOT SUBDIVISION, FAMILY SUBDIVISION, AND GROUP DEVELOPMENT APPLICATION

PERMIT # _____

1. APPLICATION TYPE

2-Lot Subdivision ☐
Expedited 3-Lot Subdivision ☐

Group Development ☐
Family Subdivision, 3-8 lots (see reverse) ☐

2. PROJECT INFORMATION

Date of Application 3-28-23 Name of Project Derbyshire P97-268
Location Derbyshire Property Size (acres) 1.47
Zoning District Columbus Township Date of Last Subdivision _____
Current Land Use residential Proposed Land Use residential
Tax Parcel Number(s) P97-268 Proposed # of Lots 1

3. CONTACT INFORMATION

Property Owner Byana, LLC
Address 400 Landrum Road, Columbus, NC 28722
Telephone 704-236-0467 E-mail Address bcarroll1@gmail.com

Applicant / Agent (Registered Engineer, Designer, Surveyor, etc.) Brian Carroll, manager of Byana, LLC
Address 331 Prospect Point Drive Tryon NC 28782
Telephone 704-236-0467 E-mail Address bcarroll1@gmail.com

If you have any questions regarding these requirements, please contact the Polk County Community Development Department at 828.894.2732.

OWNER / APPLICANT SIGNATURE B. Carroll, manager DATE 3-28-23

FOR STAFF USE ONLY

Permit Number _____ Flood? Yes ☐ Map # _____ No ☐
Fee _____ Watershed? Yes ☐ Map # _____ No ☐
Zoning District _____ Location # _____
Staff Signature _____ Date _____

4. FAMILY SUBDIVISION LINEAL FAMILY MEMBER / SIBLING STATEMENT (FOR FAMILY SUBDIVISIONS ONLY)

I hereby acknowledge that I have created the Family Subdivision titled _____.

I have read, understand, and agree to abide by the Polk County Subdivision Ordinance as it pertains to the creation of lots for lineal family members or siblings, to wit: spouse, children, or their lineal descendants or ascendants, or the lineal descendants or ascendants of said property owner as a gift, or as a settlement of the property owners' estate. The purpose for creating a Family Subdivision is to have my lineal family member(s) homestead on the new lot(s). I realize if lots are created for people other than lineal family members, then the provisions for a Minor or Major Subdivision are to be followed as outlined in the Polk County Subdivision Ordinance.

I further acknowledge that my lineal family members who will be homesteading on the newly created family lots are (attach additional sheet as necessary):

1. Name _____ Lot # _____

Relationship _____

2. Name _____ Lot # _____

Relationship _____

3. Name _____ Lot # _____

Relationship _____

4. Name _____ Lot # _____

Relationship _____

5. Name _____ Lot # _____

Relationship _____

6. Name _____ Lot # _____

Relationship _____

7. Name _____ Lot # _____

Relationship _____

8. Name _____ Lot # _____

Relationship _____

OWNER SIGNATURE: _____ DATE: _____

5. NOTES _____

STATE OF NORTH CAROLINA
COUNTY OF POLK

I, GARY RUTH, REVIEW OFFICER OF POLK COUNTY
CERTIFY THAT THE MAP OR PLAT TO WHICH THIS
CERTIFICATION IS AFFIXED MEETS ALL STATUTORY
REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

JOHN A. RUSH AND
WIFE PAMELA J. RUSH
TAX PARCEL # P-97-267
DEED BOOK 455 PAGE 1872
CARD FILE F PAGE 1561

PRELIMINARY PLAT

AREA PREVIOUSLY DEDICATED AS
RIGHT-OF-WAY PER CARD FILE F
PAGE 1561 TO BE ABANDONED AND
A NEW AREA AS SHOWN ON THIS
PLAT TO BE DEDICATED AS NEW
RIGHT-OF-WAY

FOUND 5/8" REBAR
N 18°32'12" W 35.61'
N 18°32'12" W 53.41'
N 18°32'12" W 23.33'
SET 1/2" REBAR

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LAKE SANDY PLAINS
OPEN SPACE
DERBYSHIRE SUBDIVISION
PHASE 1A & 1B
CARD FILE E PAGE 1898

COMMUNITY
SPACE
57,066 SQUARE FEET
1.30 ACRES

DOVERDRIDGE DRIVE
(46' RIGHT-OF-WAY)
CARD FILE E PAGE 1898

DANIEL J. SULLIVAN AND
WIFE BARBARA S. SMITH
TAX PARCEL # P-97-267
DEED BOOK 386 PAGE 2002
CARD FILE E PAGE 1898

BYANA, LLC
TAX PARCEL P-97-277
DEED BOOK 455 PAGE 1872
CARD FILE E PAGE 1898

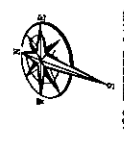
LINE	LENGTH	BEARING
L1	27.82'	S 23°26'54" W
L2	38.72'	N 18°21'06" W
L3	9.28'	N 18°21'06" W
L4	27.82'	N 23°26'54" E
L5	22.48'	N 18°21'06" W
L6	27.82'	N 23°26'54" E

CURVE	LENGTH	RADIUS	TANGENT	BEARING	CHORD
C1	16.52'	453.00'	8.28'	S 15°20'14" E	16.32'

LEGEND

- PROPERTY LINE SURVEYED
- PROPERTY LINE NOT SURVEYED
- RIGHT-OF-WAY LINE
- FOUND PROPERTY CORNER
- SET PROPERTY CORNER
- CALCULATED POINT

TRUE NORTH
SURVEYING & MAPPING



450 WEBBER LANE
COLUMBUS, NC 28722
858-617-4000

RECOMBINATION SURVEY FOR:
JOHN A. & PAMELA J. RUSH
DERBYSHIRE SUBDIVISION
COLUMBUS TOWNSHIP
POLK COUNTY, NORTH CAROLINA

OWNER OF RECORD:
BYANA, LLC
1 HARDING LANE
ROMULON, NJ 07760

PREPARED FOR:
JOHN & PAMELA RUSH

SCALE: 1" = 30'

ISSUE DATE: FEBRUARY 20, 2023

CHECKED BY: T. CANTRELL

JOB #: 2202-03

DRAWING FILE: 2202-03-04

NOTES:



GENERAL NOTES

1. ALL DISTANCES ARE HORIZONTAL MEASUREMENTS UNLESS OTHERWISE NOTED.
2. ALL AREAS ARE CALCULATED BY THE COORDINATE COMPUTATION METHOD.
3. ALL PROPERTY CORNERS ARE MONUMENTED AS SHOWN HEREON.
4. BASIS OF BEARINGS FOR THIS SURVEY IS NC GRID (NAD 83/2011) PER OPS OBSERVATION USING VRS-RTK DATA STREAM PROVIDED BY NC UTILITY SYSTEM.
5. NO MONUMENT WAS FOUND WITHIN 2000' OF SUBJECT PROPERTY.
6. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE EXAMINATION. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE SUBJECT PROPERTY AND HAS NO KNOWLEDGE OF ANY EASEMENTS, ENCUMBRANCES, OR RESTRICTIONS THAT THE SURVEYOR HAS.
7. A PORTION OF THE SUBJECT PROPERTY DOES NOT WITHIN A SPECIAL FLOOD HAZARD AREA AS PER FEMA FLOOD INSURANCE RATE MAP.
8. THE POLK COUNTY HEALTH AND HUMAN SERVICES AGENCY HAS EXPRESSED NO OPINION AS TO THE SUITABILITY OF PRIVATE SEPTIC SYSTEMS OR WATER DISTRIBUTION SYSTEMS FOR THIS PROPERTY. SUCH SYSTEMS ARE SUBJECT TO INDIVIDUAL INSPECTION AND APPROVAL OF SEPTIC SYSTEMS.

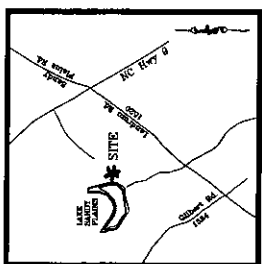
SURVEYOR CERTIFICATES

I, TYRONNE D. CANTRELL, CERTIFY THAT THIS MAP WAS DRAWN BY ME FROM AN ACTUAL FIELD SURVEY MADE BY ME ON FEBRUARY 15, 2023; THAT THE RECORD REFERENCES ARE AS SHOWN ON THE FACE OF THIS PLAT; THAT THE BOUNDARIES OF THE SUBJECT PROPERTY ARE SHOWN AS BACKLINES AND THAT THE BOUNDARY OF RECORD REFERENCES AS SHOWN ON THE FACE OF THIS PLAT; THAT THE SURVEY OR CLOSURE IS GREATER THAN 1:10,000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS A COURT-ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

WITNESS MY HAND AND SEAL THIS 20TH DAY OF FEBRUARY, A.D. 2023.

TYRONNE D. CANTRELL, PLS-4150 _____ DATE _____



VICINITY MAP - NOT TO SCALE