

**U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT**

Action Id. SAW-2017-02253 County: Chatham County U.S.G.S. Quad: Farrington

GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION

Permittee: David Lazzo
Manns Chapel Development, LLC
Address: 2100 Cook Ridge Court
Raleigh, North Carolina 27615

Size (acres)	<u>31 acres</u>	Nearest Town	<u>Chapel Hill</u>
Nearest Waterway	<u>East Branch Price Creek</u>	River Basin	<u>Cape Fear</u>
USGS HUC	<u>03030002</u>	Coordinates	Latitude: <u>35.843751</u> Longitude: <u>-79.112530</u>

Location description: The site is located at 3954 Manns Chapel Road, Chapel Hill, Chatham County, North Carolina, approximately 1,300 feet southeast of the Dollar Road, Manns Chapel road intersection.

Description of projects area and activity: This authorization is for temporary and permanent impacts to a tributary stream associated with the construction of a residential subdivision as follows: Crossing #1: Stream A (Impact #S1) 98-linear feet of permanent impact for the installation of one (1) 73 LF, 60" RCP culvert and 13 linear feet of rip rap for a velocity dissipation pad and 15 linear feet of temporary impacts for construction access/dewatering (see attached plans).

Applicable Law: Section 404 (Clean Water Act, 33 USC 1344)
 Section 10 (Rivers and Harbors Act, 33 USC 403)

Authorization: Regional General Permit Number and/or Nationwide Permit Number: NWP 29 Residential Developments
SEE ATTACHED RGP or NWP GENERAL, REGIONAL AND/OR SPECIAL CONDITIONS

Your work is authorized by the above referenced permit provided it is accomplished in strict accordance with the attached conditions and your submitted application and attached information dated November 6, 2018, including updated plans received on December 13, 2018. Any violation of the attached conditions or deviation from your submitted plans may subject the permittee to a stop work order, a restoration order, a Class I administrative penalty, and/or appropriate legal action.

This verification will remain valid until the expiration date identified below unless the nationwide and/or regional general permit authorization is modified, suspended or revoked. If, prior to the expiration date identified below, the nationwide and/or regional general permit authorization is reissued and/or modified, this verification will remain valid until the expiration date identified below, provided it complies with all requirements of the modified nationwide permit. If the nationwide and/or regional general permit authorization expires or is suspended, revoked, or is modified, such that the activity would no longer comply with the terms and conditions of the nationwide permit, activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon the nationwide and/or regional general permit, will remain authorized provided the activity is completed within twelve months of the date of the nationwide and/or regional general permit's expiration, modification or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend or revoke the authorization.

Activities subject to Section 404 (as indicated above) may also require an individual Section 401 Water Quality Certification. You should contact the NC Division of Water Resources (telephone 919-807-6300) to determine Section 401 requirements.

For activities occurring within the twenty coastal counties subject to regulation under the Coastal Area Management Act (CAMA), prior to beginning work you must contact the N.C. Division of Coastal Management in Morehead City, NC, at (252) 808-2808.

This Department of the Army verification does not relieve the permittee of the responsibility to obtain any other required Federal, State or local approvals/permits.

If there are any questions regarding this verification, any of the conditions of the Permit, or the Corps of Engineers regulatory program, please contact Andrew Williams at (919) 554-4884 or Andrew.E.Williams2@usace.army.mil.

Corps Regulatory Official: Andrew Williams

Digitally signed by WILLIAMS ANDREW.E.1244561655
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,
ou=USA, cn=WILLIAMS ANDREW.E.1244561655
Date: 2019.01.25 16:34:07 -0500

Date: **January 25, 2019**

Expiration Date of Verification: **March 18, 2022**

A. Determination of Jurisdiction:

1. There are waters, including wetlands, on the above described project area that may be subject to Section 404 of the Clean Water Act (CWA) (33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). However, you may request an approved JD, which is an appealable action, by contacting the Corps district for further instruction. Please note, if work is authorized by either a general or nationwide permit, and you wish to request an appeal of an approved JD, the appeal must be received by the Corps and the appeal process concluded prior to the commencement of any work in waters of the United States and prior to any work that could alter the hydrology of waters of the United States.
2. There are Navigable Waters of the United States within the above described project area subject to the permit requirements of Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403) and Section 404 of the Clean Water Act (CWA) (33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
3. There are waters, including wetlands, within the above described project area that are subject to the permit requirements of Section 404 of the Clean Water Act (CWA) (33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
4. A jurisdiction determination was not completed with this request. Therefore, this is not an appealable action. However, you may request an approved JD, which is an appealable action, by contacting the Corps for further instruction.
5. The aquatic resources within the above described project area have been identified under a previous action. Please reference the preliminary jurisdictional determination issued 4/18/2018. Action ID: **SAW-2017-02253**.

B. Basis For Jurisdictional Determination: N/A. An Approved JD has not been completed.

C. Remarks: None

D. Attention USDA Program Participants

This delineation/determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the particular site identified in this request. The delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA Program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

E. Appeals Information for Approved Jurisdiction Determinations (as indicated in A2 and A3 above).

If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the following address:

US Army Corps of Engineers
South Atlantic Division
Attn: Jason Steele, Review Officer
60 Forsyth Street SW, Room 10M15
Atlanta, Georgia 30303-8801
Phone: (404) 562-5137

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by **Not Applicable**.

It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.

Corps Regulatory Official:

Andrew Williams

Digitally signed by WILLIAMS.ANDREW.E.1244561655
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,
ou=USA, cn=WILLIAMS.ANDREW.E.1244561655
Date: 2019.01.25 16:34:30 -05'00'

Andrew Williams

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete our Customer Satisfaction Survey, located online at http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

Copy furnished:

Debbie Shirley
Soil & Environmental Consultants, PA
8412 Falls of Neuse Road
Raleigh, NC 27615

Stephanie Goss
North Carolina Department of Environmental Quality
Water Resources Water Quality Regional Operations Section
1628 Mail Service Center
Raleigh, NC 27699-1628

Action ID Number: SAW-2017-02253 County: Chatham County

Permittee: David Lazzo
Manns Chapel Development, LLC

Project Name: Mann's Chapel Development, LLC/Bonterra Subdivision

Date Verification Issued: January 25, 2019

Project Manager: Andrew Williams

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

US ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT
Attn: Andrew Williams
3331 Heritage Trade Drive, Suite 105
Wake Forest, North Carolina 27587

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers representative. Failure to comply with any terms or conditions of this authorization may result in the Corps suspending, modifying or revoking the authorization and/or issuing a Class I administrative penalty, or initiating other appropriate legal action.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and condition of the said permit, and required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

Date

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: David Lazzo Manns Chapel Development, LLC	File Number: SAW-2017-02253	Date: January 25, 2019
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Attached is:	See Section below
<input type="checkbox"/> INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
<input type="checkbox"/> PROFFERED PERMIT (Standard Permit or Letter of permission)	B
<input type="checkbox"/> PERMIT DENIAL	C
<input type="checkbox"/> APPROVED JURISDICTIONAL DETERMINATION	D
<input type="checkbox"/> PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:
**District Engineer, Wilmington Regulatory Division,
Attn: Andrew Williams
69 Darlington Avenue
Wilmington, North Carolina 28403**

If you only have questions regarding the appeal process you may also contact:
Mr. Jason Steele, Administrative Appeal Review Officer
CESAD-PDO
U.S. Army Corps of Engineers, South Atlantic Division
60 Forsyth Street, Room 10M15
Atlanta, Georgia 30303-8801
Phone: (404) 562-5137

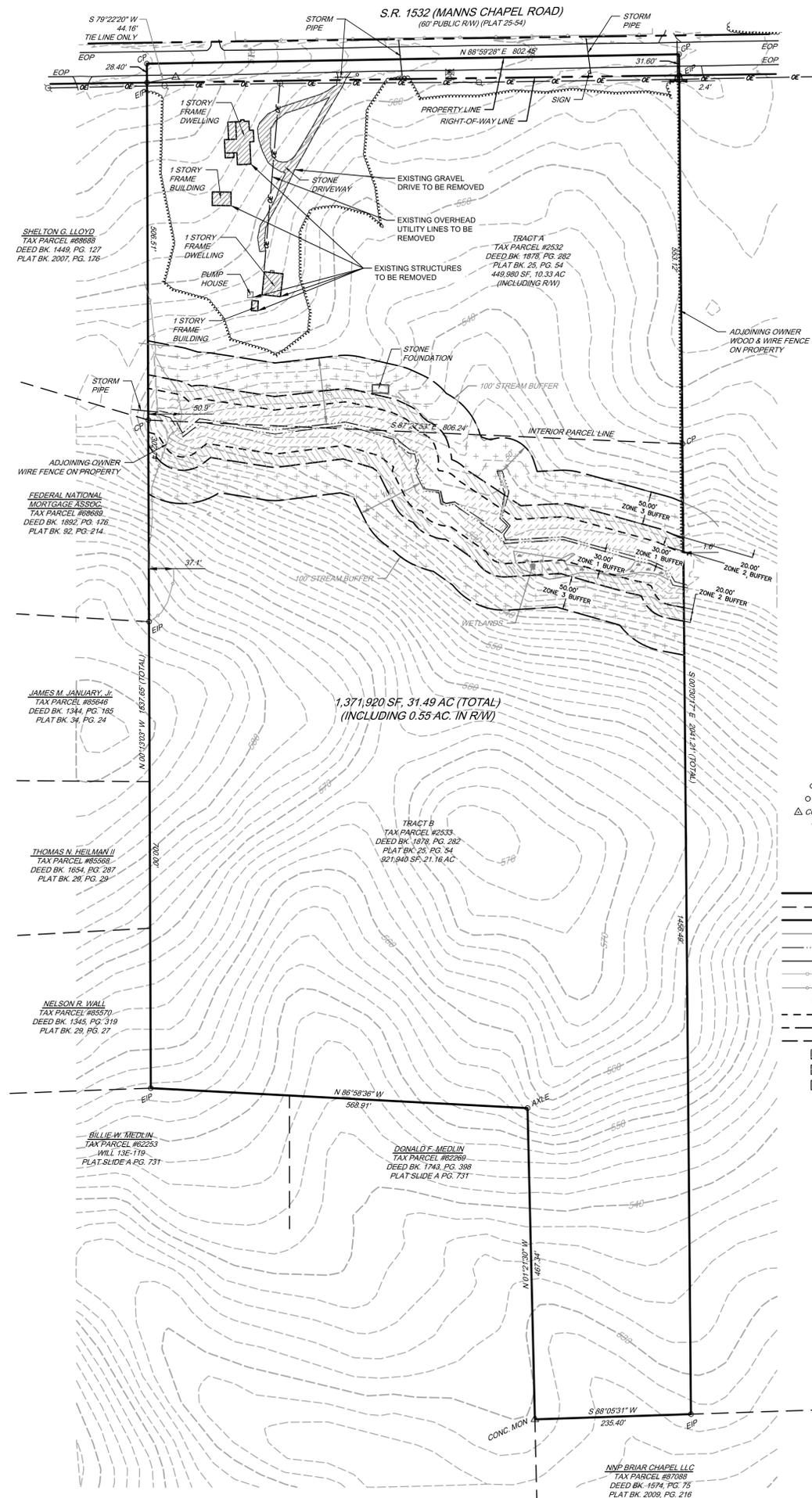
RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

_____	Date:	Telephone number:
Signature of appellant or agent.		

For Permit denials, Proffered Permits and approved Jurisdictional Determinations send this form to:

**Division Engineer, Commander, U.S. Army Engineer Division, South Atlantic, Attn: Mr. Jason Steele, Administrative Appeal Officer, CESAD-PDO, 60 Forsyth Street, Room 10M15, Atlanta, Georgia 30303-8801
Phone: (404) 562-5137**

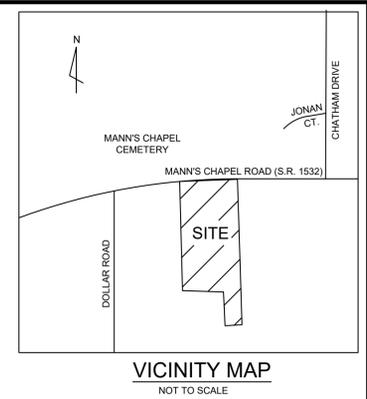
L:\Projects\DLAZ1701\Managers\Chapman\Subdivisions\CONSTRUCTION DRAWING APPROVAL



LEGEND

○ EIP	EXISTING IRON PIPE
○ AXLE	EXISTING AXLE
△ CONC. MON	EXISTING CONCRETE MONUMENT
○ CP	COMPUTED POINT
⊠	WATER VALVE
⊕	HYDRANT
⊙	UTILITY POLE
⊙	COMMUNICATION PEDESTAL
---	PROPERTY LINE (SURVEYED)
---	ADJOINER PROPERTY LINE (NOT SURVEYED)
---	RIGHT-OF-WAY LINE
---	STREAM BUFFER LINE
---	TOP OF STREAM BANK
---	OVERHEAD WIRES
---	WOOD FENCE
---	WIRE FENCE
---	EOP
---	EDGE OF PAVEMENT
---	RIPARIAN ZONE 1
---	RIPARIAN ZONE 2
---	RIPARIAN ZONE 3
---	RIPARIAN ZONE 1 HATCH
---	RIPARIAN ZONE 2 HATCH
---	RIPARIAN ZONE 3 HATCH

- NOTES:**
- EXISTING TOPOGRAPHIC FEATURES WERE OBTAINED FROM A TOPOGRAPHIC SURVEY PREPARED BY PENNONI ASSOCIATES ON OR ABOUT 9/21/2017.
 - BOUNDARY INFORMATION TAKEN FROM A PLAN ENTITLED: "BOUNDARY SURVEY FOR MANN CHAPEL DEVELOPMENT, LLC, OF DEED BOOK 1878, PAGE 282, 3954 MANN CHAPEL ROAD, CHATHAM COUNTY, NORTH CAROLINA", DATED 7/23/18, AS PREPARED BY PENNONI ASSOCIATES.
 - DELINEATION OF WATERS AND STREAM BUFFERS BASED UPON DOCUMENT ENTITLED, "FIGURE 3 - SKETCH MAP" DATED 10/26/17, AS PREPARED BY S&EC, PA.
 - USACOE NOTICE OF JURISDICTIONAL DETERMINATION ISSUED 4/18/18. ID SAW - 2017 - 02253.



Pennonni
Firm License F-1287
PENNONI ASSOCIATES, INC.
401 Providence Road #200
Chapel Hill, NC 27514
T 919.929.1173 F 919.493.6548

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

BONTERRA SUBDIVISION
3954 MANN CHAPEL ROAD
CHAPEL HILL, NC 27516

EXISTING CONDITIONS - DEMOLITION PLAN

MANN CHAPEL DEVELOPMENT LLC
2100 COOK RIDGE COURT
RALEIGH, NC 27615

NO.	DATE	REVISIONS	BY
1	10/11/2018	NCCDOT SUBMITTAL	AAA

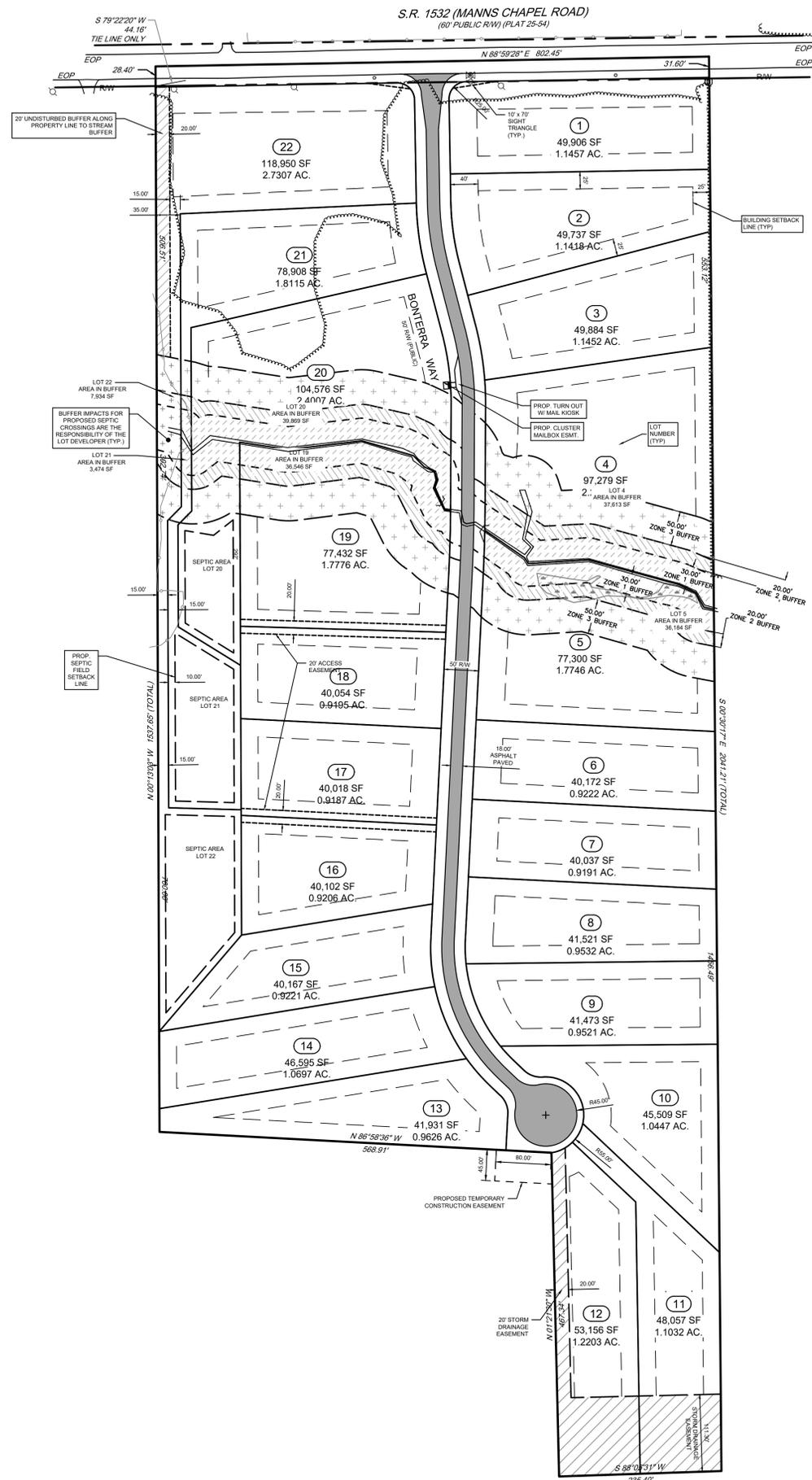
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PROJECT: **DLAZ1701**
DATE: 10/11/2018
DRAWING SCALE: 1" = 100'
DRAWN BY: AAA
APPROVED BY: PCB

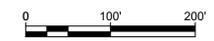
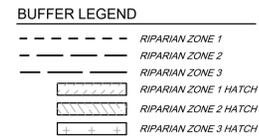
CS0201
SHEET 3 OF 14

PRELIMINARY - NOT FOR CONSTRUCTION

L:\Projects\DLAZ1701\Manassas Chapel Rd Subdivision\CS1001.dwg PLOTTED: 10/20/2018 10:37 PM BY: Amy Adel PROJECT: MANASSAS CHAPEL ROAD SUBDIVISION CONSTRUCTION DRAWING APPROVAL



LOT AREA TABLE					
LOT #	TOTAL AREA (sf)	AREA (ac)	AREA IN BUFFER	STREAM AREA	USABLE AREA
LOT 1	49,906 SF	1.15	0	0	49,906 SF
LOT 2	49,737 SF	1.14	0	0	49,737 SF
LOT 3	49,884 SF	1.15	0	0	49,884 SF
LOT 4	97,279 SF	2.23	37,613 SF	1,359 SF	58,307 SF
LOT 5	77,300 SF	1.77	36,184 SF	939 SF	40,177 SF
LOT 6	40,172 SF	0.92	0	0	40,165 SF
LOT 7	40,037 SF	0.92	0	0	40,032 SF
LOT 8	41,521 SF	0.95	0	0	41,520 SF
LOT 9	41,473 SF	0.95	0	0	41,473 SF
LOT 10	45,509 SF	1.04	0	0	45,509 SF
LOT 11	48,057 SF	1.10	0	0	48,057 SF
LOT 12	53,156 SF	1.22	0	0	53,156 SF
LOT 13	41,931 SF	0.96	0	0	41,931 SF
LOT 14	46,595 SF	1.07	0	0	46,595 SF
LOT 15	40,167 SF	0.92	0	0	40,167 SF
LOT 16	40,102 SF	0.92	0	0	40,102 SF
LOT 17	40,018 SF	0.92	0	0	40,018 SF
LOT 18	40,054 SF	0.92	0	0	40,054 SF
LOT 19	77,432 SF	1.78	36,546 SF	857 SF	40,029 SF
LOT 20	104,576 SF	2.40	39,869 SF	1,419 SF	63,288 SF
LOT 21	78,908 SF	1.81	3,474 SF	131 SF	75,303 SF
LOT 22	118,950 SF	2.73	7,934 SF	115 SF	110,901 SF



PRELIMINARY - NOT FOR CONSTRUCTION

Pennoni
Firm License F-287
PENNONI ASSOCIATES, INC.
401 Providence Road #200
Chapel Hill, NC 27514
T 919.929.1173 F 919.493.6548

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

BONTERRA SUBDIVISION
3954 MANASSAS CHAPEL ROAD
CHAPEL HILL, NC 27516

SITE PLAN

MANASSAS CHAPEL DEVELOPMENT LLC
2100 COOK RIDGE COURT
RALEIGH, NC 27615

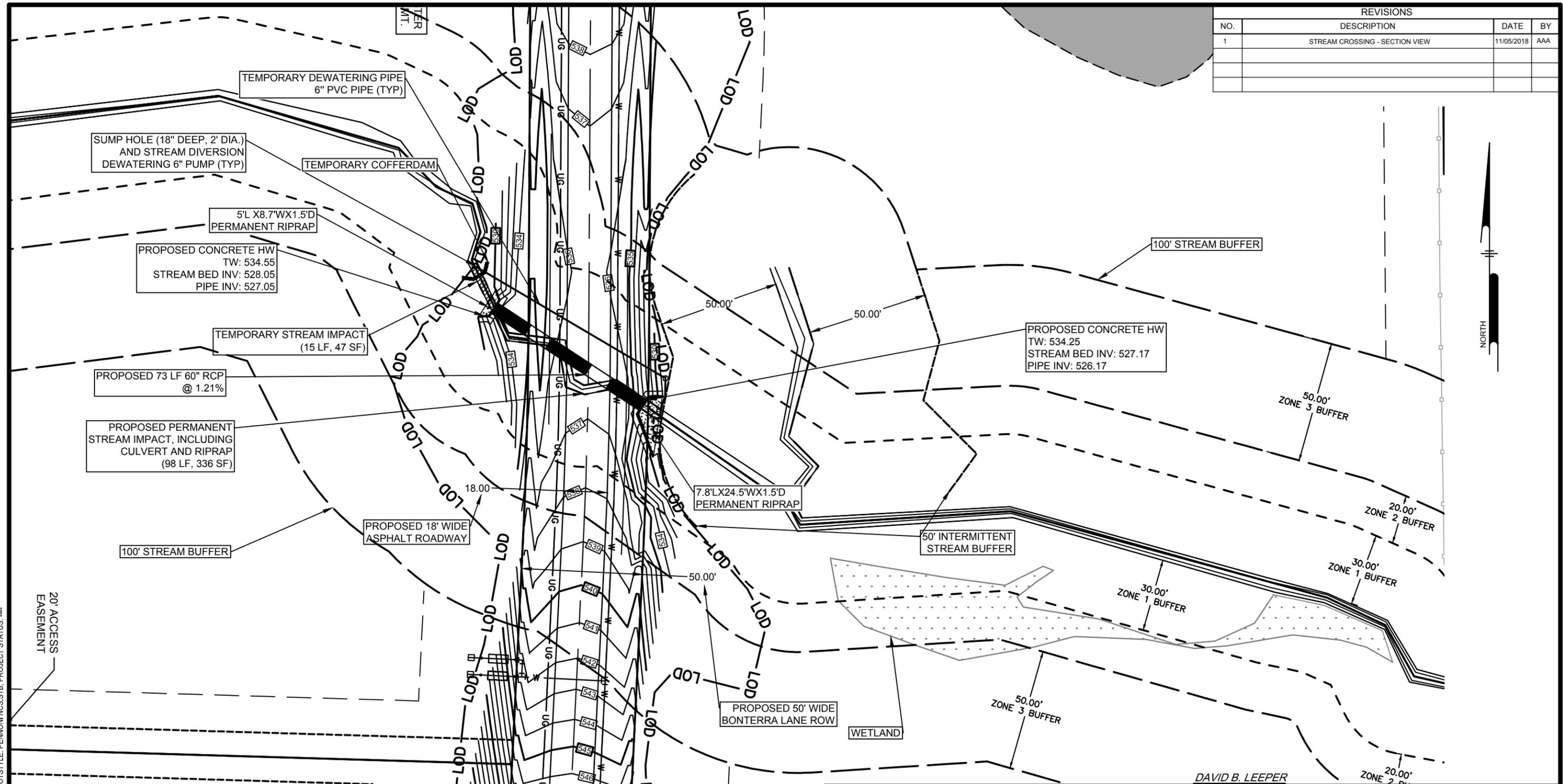
NO.	DATE	REVISIONS	BY
1	10/11/2018	NCCDOT SUBMITTAL	AAA

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PROJECT: **DLAZ1701**
DATE: 10/11/2018
DRAWING SCALE: 1" = 100'
DRAWN BY: AAA
APPROVED BY: PCB

CS1001
SHEET 4 OF 14

REVISIONS			
NO.	DESCRIPTION	DATE	BY
1	STREAM CROSSING - SECTION VIEW	11/05/2018	AAA



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Firm License
F-1267
PENNONI ASSOCIATES INC.
401 Providence Road, #200
Chapel Hill, NC 27514
T 919.929.1173 F 919.493.6548

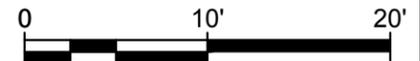
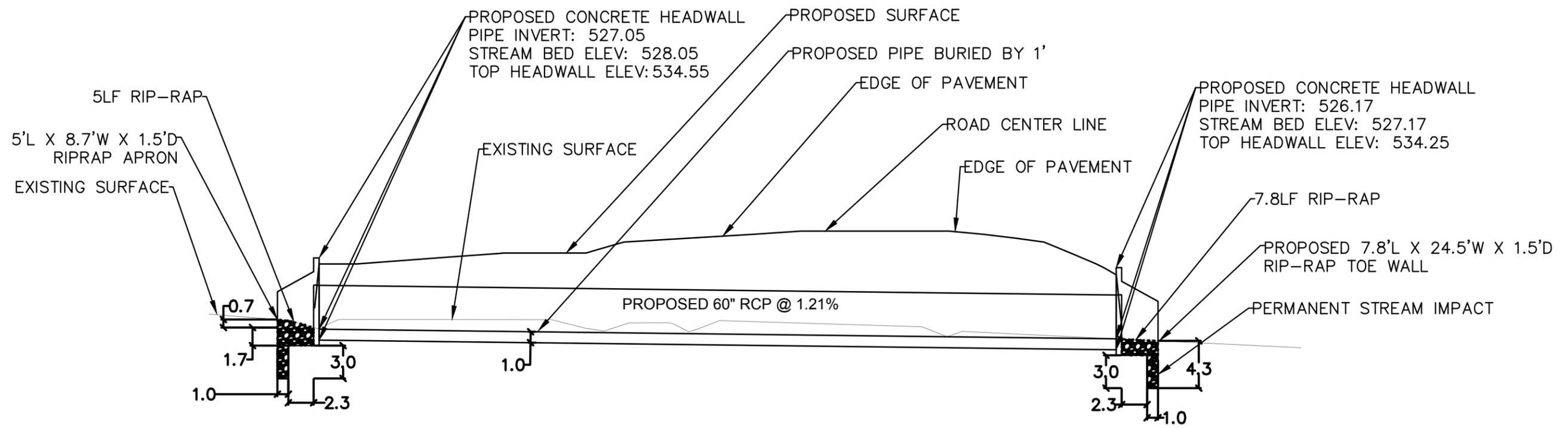
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MANN'S CHAPEL RD SUBDIVISION
3954 MANN'S CHAPEL ROAD
CHAPEL HILL, NC
IMPACT 1
IDEAL CAPITAL GROUP, LLC
2100 COOK RIDGE COURT
RALEIGH, NC

PROJECT	DLAZ1701
DATE	2018-11-05
DRAWING SCALE	1"=40'
DRAWN BY	AAA
APPROVED BY	PCB
IMPACT 1	
SHEET 1 OF 2	

DAVID B. LEEPER

REVISIONS			
NO.	DESCRIPTION	DATE	BY
1	STREAM CROSSING - SECTION VIEW	11/05/2018	AAA



L:\PROJECTS\DLAZ1701-MANNS CHAPEL RD SUBDIVISION\EXHIBITS\CS1501_11X17.DWG
PLOTTED: 12/12/2018 4:09:08 PM BY: CAROL JEIMOLO - PLOTSTYLE: PENNONI NCS.STB, PROJECT STATUS: ---

 Firm License F-1267 PENNONI ASSOCIATES INC. 401 Providence Road, #200 Chapel Hill, NC 27514 T 919.929.1173 F 919.493.6548	ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES; AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.	PROJECT DLAZ1701 DATE 2018-11-05 DRAWING SCALE 1"=10' DRAWN BY AAA APPROVED BY PCB
	MANNS CHAPEL RD SUBDIVISION 3954 MANNS CHAPEL ROAD CHAPEL HILL, NC IMPACT 1 IDEAL CAPITAL GROUP, LLC 2100 COOK RIDGE COURT RALEIGH, NC	IMPACT 1 SHEET 2 OF 2