

**THE ERWIN BOARD OF COMMISSIONERS
FEBRUARY 2026 REGULAR MEETING
THURSDAY, FEBRUARY 5, 2026 @ 7:00 P.M.
ERWIN MUNICIPAL BUILDING BOARDROOM**

AGENDA

1. **MEETING CALLED TO ORDER**
 - A. Invocation
 - B. Pledge of Allegiance
2. **AGENDA ADJUSTMENTS /APPROVAL OF AGENDA**
3. **CONSENT**

All items on Consent Agendas are considered routine, to be enacted on one motion without discussion. If a Board member or citizen requests discussion of an item, the item will be removed from the Consent Agenda and considered under New Business.

 - A. Regular Meeting Minutes on January 8, 2026 **(Page 2)**
4. **PRESENTATION OF FISCAL YEAR 2024-2025 AUDIT (Page 5)**
5. **PUBLIC HEARING**
 - A. ZT-2025-011 **(Page 6)**
 - B. SU-2025-004 **(Page 38)**
6. **NEW BUSINESS**
 - A. Proposed Contract with Liberty Waste Solutions **(Page 68)**
7. **PUBLIC COMMENT**

Each speaker is asked to limit comments to 3 minutes, and the requested total comment period will be 30 minutes or less. Citizens should sign up prior to the start of the meeting. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on the subject matter brought up during the Public Comment segment. Thank you for your consideration of the Town Board, staff, and other speakers. §160A-81.1
8. **MANAGER’S REPORT**
9. **ATTORNEY’S REPORT**
10. **ADJOURNMENT**

****IN ACCORDANCE WITH ADA REGULATIONS, PLEASE NOTE THAT ANYONE WHO NEEDS AN ACCOMMODATION TO PARTICIPATE IN THE MEETING SHOULD NOTIFY THE TOWN CLERK AT (910) 591-4202 AT LEAST 48 HOURS PRIOR TO THE MEETING.****

ERWIN BOARD OF COMMISSIONERS

REGULAR MINUTES

JANUARY 8, 2026

ERWIN, NORTH CAROLINA

The Board of Commissioners for the Town of Erwin, with Mayor Baker presiding, held its Regular Meeting in the Erwin Municipal Building Board Room on Thursday, January 8, 2026, at 7:00 P.M. in Erwin, North Carolina.

Board Members present were Mayor Randy Baker, Mayor Pro Tem Ricky Blackmon, and Commissioners Charles Byrd, Alvester McKoy, Billy Turnage, and Timothy Marbell.

Board Member absent was Commissioner David Nelson.

Town Manager Snow Bowden, Town Clerk Lauren Evans, Town Attorney Tim Morris, Town Planner Dylan Eure, Recreation Director Doug Stevens, and Police Chief Jonathan Johnson were present.

Mayor Baker called the meeting to order at 7:00 PM.

Commissioner McKoy gave the invocation.

Commissioner Blackmon led the Pledge of Allegiance.

AGENDA ADJUSTMENT/APPROVAL OF AGENDA

Commissioner Blackmon made a motion to approve the agenda as presented and was seconded by Commissioner Byrd. **The Board voted unanimously.**

CONSENT

Commissioner Blackmon made a motion to approve **(ITEM A)** Minutes of Regular Meeting on December 4, 2025 was seconded by Commissioner Turnage. **The Board voted unanimously.**

PROCLAMATION RECOGNIZING ERWIN 13U BOYS FOOTBALL TEAM

The Town Board of Commissioners recognized Coach Chamod Thompson, Assistant Coach Jamel Sledge Sr., and the players on the 2025 Erwin 13U Boys Football Team for an amazing season. Mayor Baker presented Coach Thompson with a Proclamation Plaque.

The Proclamation is part of these minutes as an attachment.

MINUTES CONTINUED FROM JANUARY 8, 2026

NEW BUSINESS

Resolution Adopting Cape Fear Regional Hazard Mitigation Plan

Town Manager Snow Bowden informed the Board that this was a standard plan, even though it was 1,200 pages long. If the Board saw fit, we needed to approve the resolution that evening. This plan was updated every five years and complied with FEMA standards. There were a few typos that he had requested the consultants to fix. We needed to be a part of this plan.

Town Attorney Tim Morris stated he and Town Manager Snow Bowden discussed the plan, he read the resolution, and he understood the meaning behind it.

Commissioner Blackmon made a motion to approve the Resolution Adopting Cape Fear Regional Hazard Mitigation Plan and was seconded by Commissioner McKoy. **The Board voted unanimously.**

PUBLIC COMMENT

No one was present to speak.

MANAGER'S REPORT

Town Manager Snow Bowden provided the Board with a detailed report at their seats. He stated that if they had any questions, they should give him a call.

The Manager's Report is part of these minutes as an attachment.

Commissioner Byrd inquired regarding the holdup on purchasing the land behind Al Woodall Park to expand parking.

Town Attorney Tim Morris stated it was a matter of having to have everything cleared by the court system.

Mayor Baker warned that we needed to add this to a Closed Session.

Town Manager Snow Bowden stated he would give the land owner a call to provide her with an update.

Commissioner Turnage asked for an update on lead in the water pipes.

Town Manager Snow Bowden stated that public notice letters were sent to residents in Erwin. Harnett Regional Water was still accessing the situation. He did not have any further information at this time. He would reach out to Harnett Regional Water and provide that update at a workshop.

MINUTES CONTINUED FROM JANUARY 8, 2026

ATTORNEY'S REPORT

Town Attorney Tim Morris thanked the Board for allowing him to be the Town Attorney.

ADJOURNMENT

Commissioner Nelson made a motion to adjourn at 7:17 P.M. and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

**MINUTES RECORDED AND TYPED BY
LAUREN EVANS TOWN CLERK**

ATTEST:

Randy Baker
Mayor

Lauren Evans, NCCMC
Town Clerk

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: February 5, 2026

Subject: Presentation of Fiscal Year 2024-2025 Audit

Our current auditor Bryon Scott, CPA, will be presenting the FY 2024-2025 audit at our February Town Board meeting. At your seats, there is a packet that includes this presentation and the Financial Statements for Fiscal Year 2024-2025.

Overall, we had another good audit report. Just like in previous years, our auditors pointed out an internal control issue in our operations, which is segregation of duties (Pages 21-22). Due to our small staff size, this is an issue that is brought up every year. I have tried to implement some of the recommendations in previous audit reports to address this deficiency. I will continue to follow the recommendations in this report to address this concern.

Attachments:

- FY 2024-2025 Audit Presentation

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: February 5, 2026

Subject: ZT-2025-011

The Town of Erwin has received a rezoning request for two parcels. The two parcels are adjacent to each other. One parcel can be identified by the address of 45 Red Hill Church Road. The other parcel does not have an address, but it can be identified by its Harnett County Tax PIN # 1507-14-3913.000. Both parcels are under the same ownership, and they are both split-zoned lots. The applicant wishes to have both parcels fully zoned R-10. The Planning Board did recommend this rezoning request for approval. Town Staff has followed all the required steps to properly advertise the public hearing for this request.

Attachments:

- Town Planner's Memo
- ZT-2025-011 Application
- ZT-2025-011 Staff Report
- Harnett County GIS No Zoning
- Harnett County GIS with Zoning
- Permitted Uses in B-2, M-1, and R-10
- Town of Erwin Land Use Plan
- Property Owners Notified
- Public Notice Letter
- Newspaper Public Hearing Notice
- Planning Board Draft Minutes
- Planning Board Statement of Inconsistency
- Statement of Inconsistency (Approval and Denial)
- Proposed ZT-2025-011 Resolution



TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339
Ph: 910-897-5140 • Fax: 910-897-5543
www.erwin-nc.org

2/5/2026

ZT-2025-011 **Memorandum**

Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

Rezoning Description

The Town of Erwin has received a request to rezone two adjacent parcels, of which one has an address of 45 Red Hill Church Road and a Harnett County Tax Pin of 1507-14-3913.000. The said parcel is 1.79 acres and under the B-2, M-1, and R-10 zoning classifications. The second parcel does not have an address, but it can be identified by its Harnett County Tax Pin of 150715-4111.000, and is 1.62 acres under the M-1 and R-10 zoning classifications. The petition would rezone both properties to be under the R-10 zoning classification.

Property Description

As stated previously this rezoning petition involves two parcels owned by Martha and Joseph Stancil. With one of the parcels being located within Erwin's corporate limits and the adjacent parcel being just outside of Erwin's corporate boundaries. The parcel that is located within Erwin's corporate limits has a listed physical address of 45 Red Hill Church Rd. This parcel is currently occupied by two single-family homes, and according to Harnett County GIS, they were built in the 1950's prior to Erwin's incorporation. Per Erwin's ordinances, both of the said homes are allowed to continue their use, provided that one is not destroyed or occupation is not discontinued for a period greater than 180 days. This parcel is split zoned between three zoning districts, with them being B-2, M-1, and R-10. One of the homes on the lot appears to be within the B-2 and R-10 portion, while the second appears to be on the B-2 and M-1 portion. The second adjacent parcel, petitioning to be rezoned, is located by its Harnett County Tax Pin of 1507-15-4111 and is just outside of Erwin's corporate limits. Of which this parcel is occupied by a single detached garage/shed used as an accessory for 45 Red Hill Church. This parcel's zoning classification is R-10 and B-2.

In general, town staff believes the reasoning for the current B-2 zoning is due to a general rezoning that was done after the construction HWY 421, when a blanket B-2 zoning classification was placed to designate HWY 421 as a primarily commercial corridor. While the industrial portions were likely a part of the adjacent property at 127 Red Hill Church Rd, but was later deeded off within a will. While R-10 is believed to be the original zoning classification for both parcels. In terms of wetlands and other possible environmental concerns located on the properties, there does not appear to be any flood zones, wetlands, or protected watersheds. That said, there is what appears to be a freshwater pond located on the property to its rear, located by its address of 15 Red Hill Church Rd. The surrounding land uses are primarily comprised of single-family residences, commercial establishments, and industrial uses, within the zoning

classifications being B-2, M-1, R-6, R-10, and RD. To the north of the property, there is M-1 zoning that contains uses such as EnviroBEE. To the direct east, there are both B-2 and R-10 zoning classifications, with the only uses being located on the R-10 lots being single-family homes. Further east, there is also the RD zoning classification, with the parcel being vacant woodland. To the south, the primary zoning is commercial with uses such as University Storage. To the direct west, there is R-6 zoning with the use being a single-family dwelling. Further west, there is additional M-1 zoning with the use being a solar farm.

Regards,

Dylan Eure
Town Planner



Application for an Amendment To The Official Zoning Map of Erwin, NC

Staff Only: Zoning Case # Z-2025-011
 Fee: \$400 Check # 2730 MO Cash
 PB Recommendation: A D A/W Conditions
 BOC Date: Decision: A D T A/W Conditions

Print Applicant Name: Martina & Joseph Stancil

Name of Legal Property Owner Martina & Joseph Stancil

Location of Property HC # → 1507-13-4111.000 & 1507-14-3913.000 (45 Red Hill Church)

Please Circle One of the Following: Less than one Acre One to 4.99 Acres Five or more Acres

Zoning change requested from M-1, B-2, & M-10 to SOLEX M-10

If Conditional District, note conditions: NA

Harnett County Tax Map PIN 1507-13-4111 & 1507-14-3913

Property owner(s) of area requested and address(es)

See attached list

(If more space is required, please attach to this document separately)

- Submit names and addresses of property owners immediately adjacent to the proposed rezoning area (and properties within 100 feet of proposed rezoning area) and across any street(s) and identify on an area map
- Attach a metes and bounds description, deed drawing of the area involved or a reference to lots in an approved subdivision on the entire property requested for change
- This application must be filed with the Town Hall by 4:00 p.m. on the Friday which is at least 25 days before the meeting at which it is to be considered and may be withdrawn without penalty no later than 19 days prior to the public hearing

Whenever an application requesting an amendment has been acted on and denied by the Town Board, such application, or one substantially similar shall not be reconsidered sooner than one year after the previous denial.

It is understood by the undersigned that the Zoning Map, as originally adopted and as subsequently amended, is presumed by the Town to be appropriate to the property involved and that the burden of proof for a zoning amendment rests with the applicant. Applicant is Encouraged to Discuss the Proposed Zoning Amendment with Affected Property Owners.

Martina A. Stancil
Signature of Applicant

910-891-7017
Contact Number

45 Red Hill Church Rd, Dunn, NC 28334
Mailing Address of Applicant

JACKSON SALLY B
15 RED HILL CHURCH RD DUNN, NC
28334-4972

PCC PROPERTIES LLC
127 RED HILL CHURCH RD DUNN, NC
28334-5949

VANN SEXTON MALCOLM JR
HEIRS
144 RED HILL CHURCH RD DUNN, NC
28334-5949

RZEMIEN LEAH MARIE
118 RED HILL CHURCH RD DUNN, NC
28334-5949

BAREFOOT MILFORD C &
BAREFOOT JOYCE K
72 RED HILL CHURCH RD DUNN, NC
28334-4972

BROTHERS TOO LLC
311 COLERIDGE DR DUNN, NC
28334-4408

SUN DAWG RENOVATIONS INC
PO BOX 2474 DUNN, NC 28335-2474

UNIVERSITY STORAGE LLC
165 SOMMERVILLE PARK RD
RALEIGH, NC 28603

Matthew S. Willis Register of Deeds
Harnett County, NC
Electronically Recorded
07/07/2025 11:35:00 AM NC Rev Stamp: \$0.00
Book: 4293 Page: 1338 - 1340 (3) Fee: \$26.00
Instrument Number: 2025012519

HARNETT COUNTY TAX ID#
061507 0337 1
061507 0337 2
07-07-2025 BY MB

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$0.00

Parcel Identifier No. 061507 0337 1 and 061507 0337 2
Verified by **Harnett** County on the _____ day of _____, 2025
By: _____

Mail/Box to: **Grantee**

This instrument was prepared by: Senter, Stephenson, Johnson, P.A. [WITHOUT TITLE SEARCH/TAX ADVICE]
Brief description for the Index: Two Tracts: 1.79 and 1.62 AC Home Place

THIS DEED made this 2nd day of July, 2025, by and between

GRANTOR	GRANTEE
JOSEPH E. STANCIL AND WIFE, MARTHA ANN R. STANCIL 47 Red Hill Church Road Dunn, NC 28334	JOSEPH E. STANCIL AND WIFE, MARTHA ANN R. STANCIL (A 99 percent interest) BRIAN KELLY STANCIL, married (A 1/5 of one percent interest) DAVID JASON STANCIL, unmarried (A 1/5 of one percent interest) ROBERT LYNN STANCIL, married (A 1/5 of one percent interest) CHRISTOPHER PAUL STANCIL, unmarried (A 1/5 of one percent interest) BETH STANCIL BERGER, married (A 1/5 of one percent interest) AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP 47 Red Hill Church Road Dunn, NC 28334

Enter in appropriate block for each Grantor and Grantee: name, mailing 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.

Submitted electronically by Senter, Stephenson, Johnson, PA in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Harnett County Register of Deeds.

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 of that certain lot or parcel of land situated in Harnett County, North Carolina and more particularly described as follows:

See attached "Exhibit A" for Legal Description

**THE PURPOSE OF THIS DEED IS TO CREATE JOINT TENANCY WITH
RIGHT OF SURVIVORSHIP WITH EACH GRANTEE.**

The property herein above described was acquired by Grantor by instrument recorded in Book 4293, Page 1291, Harnett County Registry.

All or a portion of the property herein conveyed ☒ includes or ☐ does not include the primary residence of a Grantor.

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, other than the following exceptions:

1. General service and utility easements, restrictions, and rights-of-way of record;
2. 2025 Ad Valorem taxes, not yet due and payable.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

By: Joseph E. Stancil (SEAL)
Joseph E. Stancil

By: Martha Ann R. Stancil (SEAL)
Martha Ann R. Stancil

State of North Carolina
County of Wake

I certify that Joseph E. Stancil and Martha Ann R. Stancil each personally appeared before me this day and acknowledged the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 2nd day of July, 2025.



Linda Funke Johnson
Linda Funke Johnson, Notary Public

My Commission Expires: 11/4/2028

EXHIBIT A

BEING the remaining portion less any out conveyances of the lands owned by Martha H. Hodges at the time of her death lying on the south side of the center line of the Carolina Power & Light Company power line crossing said property, the same consisting of the remainder of the seventeen (17) acres inherited by the said Martha H. Hodges from her mother, Thenie Bryant. This is the identical property devised under Item II of the will and codicils of Martha H. Hodges which is File No. 88-E-398 filed in the office of the Clerk of Superior Court of Harnett County, Incorporated herein by reference.

Remaining portion being described as:

TRACT 1:

PID: 061507 0337 1

PIN: 1507-14-3913.000

Physical Address: 45 Red Hill Church Road, Dunn, NC 28334

BEING 1.79 acres of the 3.41 acre "Home Place", and being a portion of the Martha H. Hodges property described in Book 3588, Page 0622, Harnett County Registry.

TRACT 2:

PID: 061507 0337 2

PIN: 1507-15-4111.000

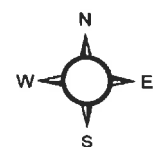
Physical Address: Red Hill Church Road, Dunn, NC 28334

BEING 1.62 acres of the 3.41 acre "Home Place", and being a portion of the Martha H. Hodges property described in Book 3588, Page 0622, Harnett County Registry.



Harnett.org/GIS
November 24, 2025

Flood Map Index	Force Main	Parcels
County Boundary	6 - 36	Watershed HUC12
City Limits	Road Centerlines	Watershed HUC8
Address Numbers	US	
Gravity		



0 14 80 Feet



REZONING MAP REQUEST STAFF REPORT

Case: ZT-2025-011

Dylan Eure, Town Planner

deure@erwin-nc.org

Phone: (910) 591-4201 Fax: (910) 897-5543

Planning Board: 12/15/2025

Town Commissioners: 02/05/2026

The Town of Erwin has received a request to rezone two adjacent parcels, of which one has an address of 45 Red Hill Church Road and a Harnett County Tax Pin of 1507-14-3913.000. The said parcel is 1.79 acres and under the B-2, M-1, and R-10 zoning classifications. The second parcel does not have an address, but it can be identified by its Harnett County Tax Pin of 150715-4111.000, and is 1.62 acres under the M-1 and R-10 zoning classifications. The petition would rezone both properties to be under the R-10 zoning classification.

Applicant Information

Owner of Record:

Name: Martha & Joseph Stancil

Address: 45 Red Hill Church Rd.

City/State/Zip: Dunn, NC 28334

Applicant:

Name: Martha & Joseph Stancil

Address: 45 Red Hill Church Rd.

City/State/Zip: Dunn, NC 28334

Property Description:

- 45 Red Hill Church Rd. (Harnett County Tax Pin: 1507-14-3913.000)
 - 1.79 acres
 - Commercial B-2: 1.42 acres or 78.86%
 - Industrial M-1: .22 acres or 12.37%
 - Residential R-10: .16 acres or 8.77%
- Harnett County Tax Pin: 1507-15-4111.000
 - 1.62 acres
 - Industrial M-1: .88 acres or 53.93%
 - Residential R-10: .75 acres or 46.07%

Type of Decision:

- Legislative

Vicinity Map

- See Attached Harnett County GIS Image with zoning districts
- See Attached Harnett County GIS Image without zoning districts

Physical Characteristics

Site Description:

Two parcels owned by Martha and Joseph Stancil, with one of the parcels being located within Erwin's corporate limits and the adjacent parcel being just outside of Erwin's corporate boundaries. The parcel that is located within Erwin's corporate limits has a listed physical address of 45 Red Hill Church Rd. This parcel is currently occupied by two single-family homes, and according to Harnett County GIS, they were built in the 1950's prior to Erwin's incorporation. Per Erwin's ordinances, both of the said homes are allowed to continue their use, if one is not destroyed or occupation is not discontinued for a period greater than 180 days. This parcel is split zoned between three zoning districts, with them being B-2, M-1, and R-10. One of the homes on the lot appears to be within the B-2 and R-10 portion, while the second appears to be on the B-2 and M-1 portion.

The second adjacent parcel, petitioning to be rezoned, is located by its Harnett County Tax Pin of 1507-15-4111 and is just outside of Erwin's corporate limits. Of which this parcel is occupied by a single detached garage/shed used as an accessory for 45 Red Hill. This parcel's zoning classification is R-10 and B-2. In general, town staff believes the reasoning for the current B-2 zoning is due to a general rezoning that was done after the construction HWY 421, when a blanket B-2 zoning classification was placed to designate HWY 421 as a primarily commercial corridor. While the industrial portions were likely part of the adjacent property at 127 Red Hill Church, that was later deeded off within a will. While R-10 is believed to be the original zoning classification for both parcels. In terms of wetlands and other possible environmental concerns located on the properties, there does not appear to be any flood zones, wetlands, or protected watersheds. That said, there is what appears to be a freshwater pond located on the property to its rear, located by its address of 15 Red Hill Church Rd.

Surrounding Land Uses:

The surrounding land uses are primarily comprised of single-family residences, commercial establishments, and industrial uses, within the zoning classifications being B-2, M-1, R-6, R-10, and RD. To the north of the property, there is M-1 zoning that contains uses such as EnviroBEE. To the direct east, there are both B-2 and R-10 zoning classifications, with the only uses being located on the R-10 lots being single-family homes. Further east, there is also the RD zoning classification, with the parcel being vacant woodland. To the south, the primary zoning is commercial with uses such as University Storage. To the direct west, there is R-6 zoning with the

use being a single-family dwelling. Further west, there is additional M-1 zoning with the use being a solar farm.

Services Available

- Harnett County Water & Sewer
 - Duke Energy for electric
 - Brightspeed for telecommunications
 - Erwin Police Department / Harnett County Sheriff
 - Harnett County Emergency Services
-
-

Staff Evaluation

☒ Yes ☐ No The IMPACT to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community

- **Reasoning:** The rezoning is reasonable, due to the properties already having some R-10 zoning and many of the neighboring properties are zoned under the R-10 zoning classification, with no indication as to why or how the rezoning would harm the surrounding community.

☒ Yes ☐ No The requested zoning district is COMPATIBLE with the existing Land Use Classification.

- **Reasoning:** Although Erwin's Land Use Plan calls for these parcels to be zoned under commercial/high-density mixed-use, since the properties were developed before Erwin's incorporation, it is reasonable to have them zoned under the nearest residential zoning district.

☒ Yes ☐ No The proposal does ENHANCE or maintain the public health, safety, and general welfare.

- **Reasoning:** The rezoning would maintain the general welfare of the community since the purpose of the rezoning is to allow the property's zoning classification to be more in line with the current use of the property.

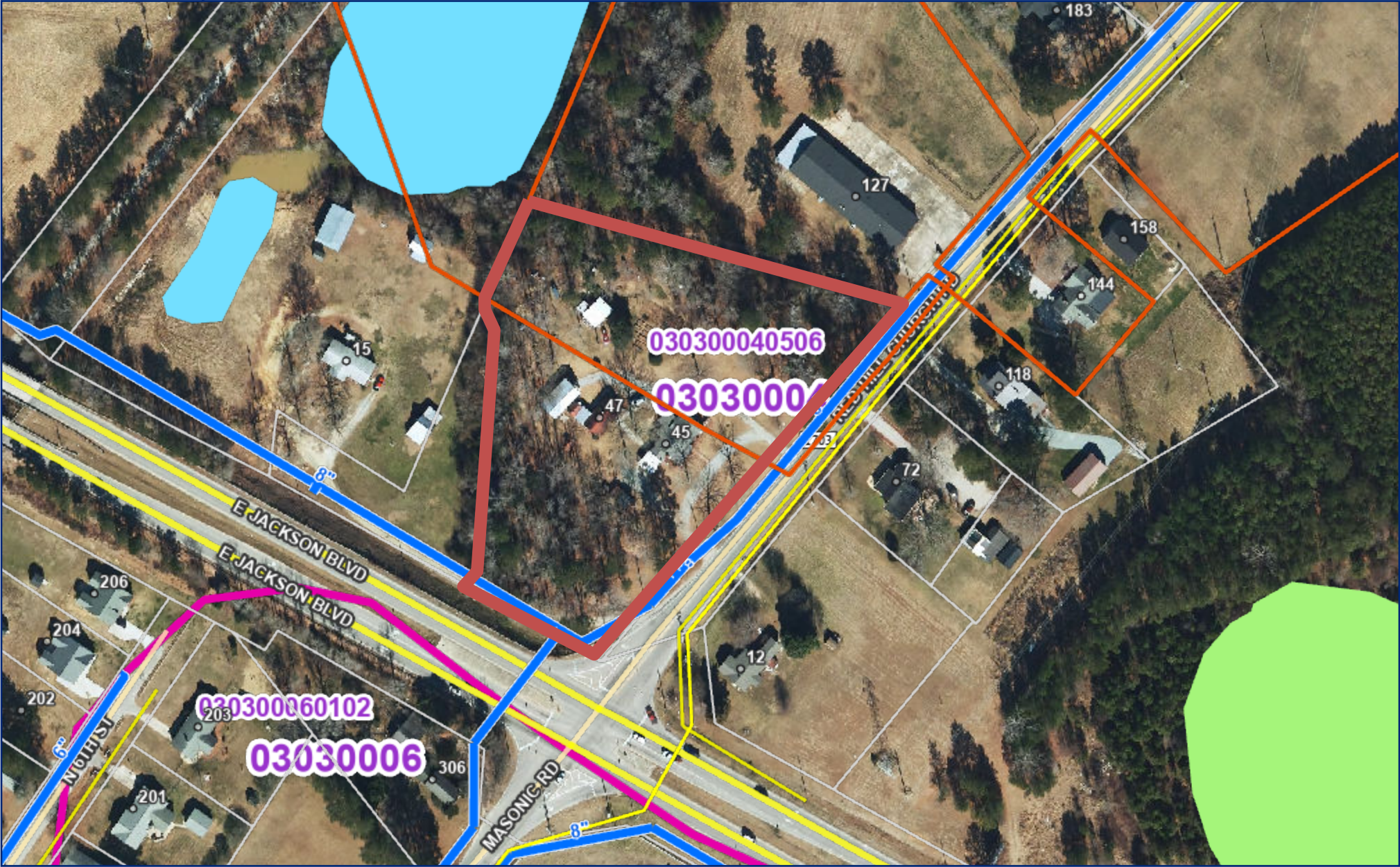
There is a convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group. YES	All permitted uses within Erwin's R-10 district would be in the general public interest of the community, as evident in the current use of the properties and other nearby R-10 properties that have active residential uses.
There is a convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.) YES	Since several of the nearby properties, as well as portions of the petitioned properties, are currently zoned as R-10, there is no evidence as to why a permitted use under the R-10 district would be a detriment to the surrounding area.
There is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change. YES	The parcel has been operating as a residential use since the 1950's with no proof of adversely affecting the neighborhood.
The proposed change is in accord with the Land Development Plan and sound planning principles. YES	Although the Erwin Land Use Plan calls for this parcel to be zoned for commercial and high density mixed uses, since the properties were developed prior to Erwin's zoning it is reasonable to have the parcel zoned under the R-10 jurisdictions to allow its use to continue throughout the life of the structures.
The request is for a SMALL SCALE REZONING and should be evaluated for reasonableness. YES	This rezoning request includes two adjacent parcels totaling 3.41 acres to be completely zoned under the R-10 zoning classification, of which there are additional R-10 zoned properties less than 100 feet away.

Statement of Inconsistency (If approved)

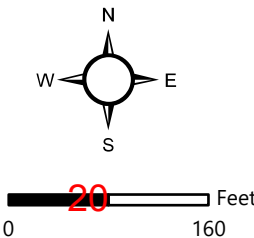
Although Erwin's Land Use Plan calls for this area to be zoned for commercial and high-density mixed uses, it is reasonable to allow the parcels to return to a sole zoning classification that is in line with the parcels current use. Therefore, it is recommended that **ZT-2025-011 is approved.**

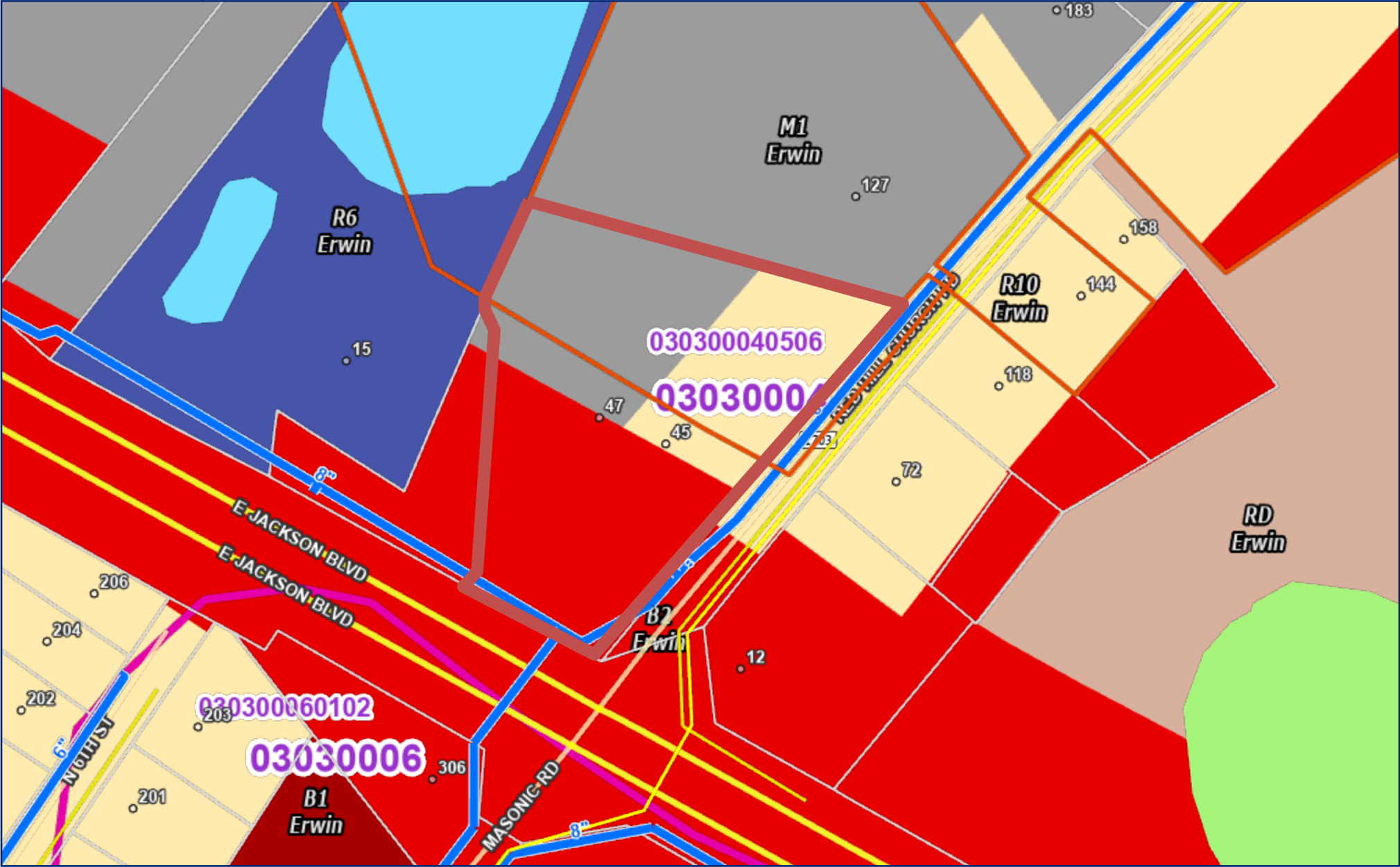
Statement of Inconsistency (If Denied)

Since Erwin's Land Use Plan calls for this area to be zoned for commercial and high-density mixed uses, it is not reasonable to allow the parcels to return to a sole zoning classification that is against Erwin's 2023 Land Use Plan. Therefore, it is recommended that **ZT-2025-011 is denied**.

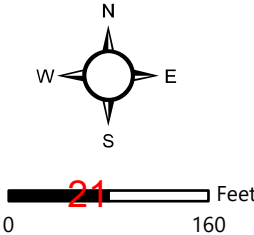


County Boundary	6 - 36	Watershed HUC12	Ponds
City Limits	Road Centerlines	Watershed HUC8	
Address Numbers	US	Freshwater Forested/ Shrub Wetland	
Gravity	Parcels	Freshwater Pond	
Force Main			





County Boundary	6 - 36	Watershed HUC8	B1	RD
City Limits	Road Centerlines	Freshwater Forested/ Shrub Wetland	B2	ETJ
Address Numbers	US	Freshwater Pond	M1	
Gravity	Parcels	Ponds	R10	
Force Main	Watershed HUC12		R6	



B-2 Permitted Uses

Sec. 36-272. Permitted principal uses and structures.

The following are permitted uses and structures:

- (1) Retail shops and stores and service establishments whose operation is conducted entirely within an enclosed building.
- (2) Offices for business and professional purposes.
- (3) Social uses, such as social halls, lodges, fraternal organizations, clubs, and similar activities.
- (4) Trades and similar enterprises catering to household and business establishments.
- (5) Motels, hotels, bed and breakfasts, boardinghouses and roominghouses, and other similar establishments.
- (6) Religious uses, including churches and other places of worship, religious education buildings, and parish houses.
- (7) Family care home.
- (8) Municipal facilities.
- (9) Mobile food vendors.
- (10) Day care centers, day nurseries, preschools, and similar uses. Day care centers, day nurseries, preschools, and similar uses may not be located within a 300-foot radius measured from the center of the property of other day care center, day nursery, preschool, or similar use.
- (11) Convenience store.

(Code 1977, § 9-4030.2; Ord. of 5-3-2001; ZT-2013-005 , § 2, 10-3-2013; Ord. No. 2023-2024-001 , 7-6-2023)

M-1 Permitted Uses

Sec. 36-310. Permitted principal uses and structures.

The following are permitted principal uses and structures:

- (1) Manufacturing, assembling and processing industries.
- (2) Wholesale, warehouse, and transfer activities.
- (3) Farms and agricultural uses.
- (4) Vehicular services.
- (5) Family care home.
- (6) Convenience store.
- (7) Municipal facilities.
- (8) Offices for business and professional purposes.
- (9) Mobile food vendors.
- (10) Athletic and exercise facilities, indoor and instructional.
- (11) Retail shops and stores and service establishments whose operation is conducted entirely within an enclosed building
- (12) Outdoor dining
- (13) Educational uses
- (14) Trades and similar enterprises catering to household and business establishments.
- (15) Public facilities.
- (16) Brewery/microbrewery.
- (17) Distillery.

(Code 1977, § 9-4031.2; Ord. of 5-3-2012; ZT-2013-005 , § 2, 10-3-2013; Ord. No. 2013-2014:006, § 2, 1-9-2014; Ord. of 11-20-2014; Ord. No. 2023-2024-002 , 7-6-2023)

R-10 Permitted Uses:

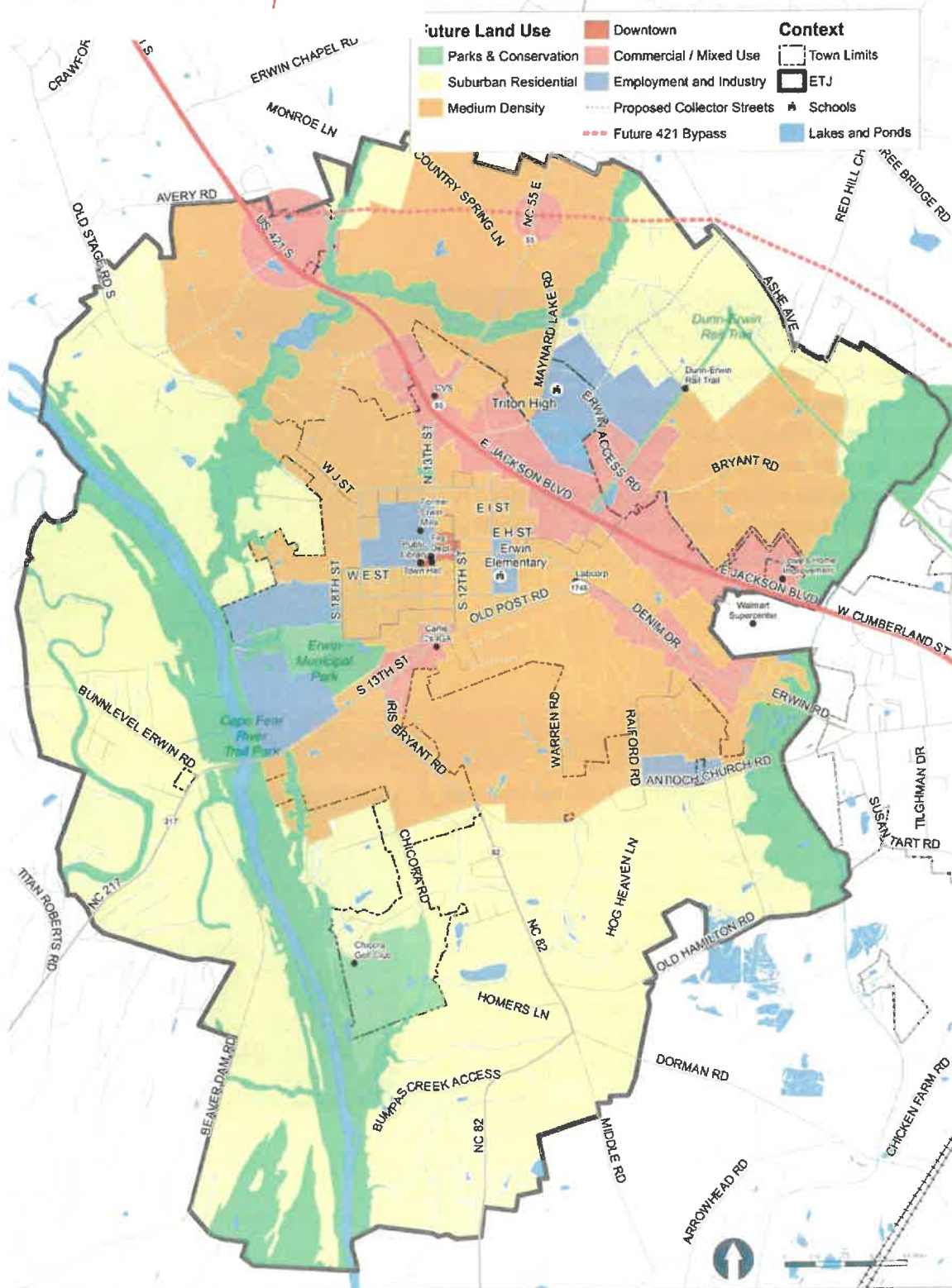
Sec. 36-144. Permitted uses and structures.

The following are permitted uses and structures:

- (1) Single-family dwellings.
- (2) Municipal facilities.
- (3) Religious uses, including churches and other places of worship, religious education buildings, and parish houses, but not including cemeteries.
- (4) Family care home.
- (5) Public facilities.
- (6) Customary home occupations.

(Code 1977, § 9-4026.2; Ord. of 5-3-2001; Ord. No. 2023-2024-001 , 7-6-2023)

Future Land Use Map



Town of Erwin Land Use Plan

Future Land Use Character Areas

The Future Land Use Map (FLUM) and character areas guide land use and infrastructure decisions, as well as land use regulations within Erwin's planning jurisdiction. The FLUM categorizes land into six color-coded character areas. These designations describe the desired types, intensity, and spatial arrangement of land uses in Erwin's planning jurisdiction.

Employment and Industry

The Employment Center designation provides primary locations for employment and economic development opportunities where there is adequate infrastructure. Employment Centers are typically located on larger parcels to accommodate future employment growth. This designation includes some industrial uses and supporting commercial uses to serve employees.



Commercial/Mixed Use

The Commercial/Mixed Use designation features small-large scale commercial, and office uses oriented primarily along Highway 421 and at major intersections. Small-medium scale commercial and offices uses should be located at major intersections. Medium-large scale commercial and office uses should be located along Highway 421. A mix of uses should be encouraged to serve both a local and regional market. Although this designation is more auto oriented, efforts should be made to provide both pedestrian and vehicle connectivity. This character area may also include a mix of residential types where appropriate.



JACKSON SALLY B
15 RED HILL CHURCH RD DUNN, NC
28334-4972

PCC PROPERTIES LLC
127 RED HILL CHURCH RD DUNN, NC
28334-5949

VANN SEXTON MALCOLM JR
HEIRS
144 RED HILL CHURCH RD DUNN, NC
28334-5949

RZEMIEN LEAH MARIE
118 RED HILL CHURCH RD DUNN, NC
28334-5949

BAREFOOT MILFORD C &
BAREFOOT JOYCE K
72 RED HILL CHURCH RD DUNN, NC
28334-4972

BROTHERS TOO LLC
311 COLERIDGE DR DUNN, NC
28334-4408

SUN DAWG RENOVATIONS INC
PO BOX 2474 DUNN, NC 28335-2474

UNIVERSITY STORAGE LLC
165 SOMMERVILLE PARK RD
RALEIGH, NC 28603



TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339
Phone: 910-897-5140 • Fax: 910-897-5543
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Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

01/12/2026

Notice of a Public Hearing ZT-2025-011

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on February 5th, 2026 at 7:00 P.M. at the Erwin Town Hall, 100 West F Street, Erwin, North Carolina to hear public comment on a proposed petitioned rezoning.

The rezoning request includes two parcels of land that are identified by a physical address and Harnett County Tax Pins, which are listed below:

1. Physical Address: 45 Red Hill Church Rd.-Harnett County Tax Pin: 1507-14-3913.000
2. Harnett County Tax Pin: 1507-15-4111.000

Currently these parcels are split zoned between commercial B-2, residential R-10, and industrial M-1 and the petition would rezone the said parcels to be entirely under the residential R-10 zoning district.

A copy of this case is available for review at the Erwin Town Hall. Questions concerning this case can be addressed to the Town Planner Dylan Eure at 910-591-4201 or by email at deure@erwin-nc.org.

Regards,

Dylan Eure
Town Planner

NOTICE OF PUBLIC HEARING

The Town of Erwin Board of Commissioners will conduct a Public Hearing on the following items pursuant to NC General Statute 160D-406, on Thursday, February 5, 2026, at 7:00 P.M. in the Erwin Municipal Building Board Room located at 100 West F Street, Erwin, NC 28339. Questions can be addressed to the Town Planner Dylan Eure at 910-591-4201 or by email at deure@erwin-nc.org.

- Case ZT-2025-011: Request to rezone two adjacent parcels:
 - 45 Red Hill Church Road (Harnett County Tax PIN # 1507-14-3913.000)- Rezoned from B-2, M-1, and R-10 to entirely R-10.
 - Harnett County Tax PIN # 1507-15-4111.000- Rezoned from M-1 and R-10 to entirely R-10
- Case SUP-2025-004: Special Use Permit Application to replace the existing structure with a duplex located at 301 West F Street. The property can also be identified by its Harnett County Tax PIN # 0597-53-4539.000.

These cases are available for review at the Erwin Town Hall. All persons desiring to be heard either for or against the proposed items set forth above are requested to be present at the above-mentioned time and place.

1/16,23/2026

PLANNING BOARD
MEETING MINUTES
MONDAY, DECEMBER 15th, 2025
ERWIN, NORTH CAROLINA

The Town of Erwin Planning Board held its regular meeting in the Erwin Municipal Building Board Room 100 West F Street, Erwin NC on Monday, December 15th, 2025, at 7:00 PM.

Board members present were Chairperson Nicholas Skatell, In-Town Board Members Marsha Woodard, Rebecca Kelly, Michael Jackson, Grace Watts, and Kathryn Moore, and Out-of-Town Board Member Howard Godwin.

Board member absent was Vice Chairperson Jim Hartman. Also absent were In-Town Alternates Dean Downing and Karen Beitar.

Staff members present were Town Planner Dylan Eure, and Deputy Clerk Katelan Blount.

Chairperson Nicholas Skatell called the meeting to order at 7:00 PM.

Board Member Michael Jackson gave the invocation.

Board Member Kathryn Moore led the Pledge of Allegiance.

CONSENT ITEMS

Board Member Marsha Woodard made a motion to approve the minutes of November 17th, 2025, and was seconded by Grace Watts. **The Board voted unanimously.**

Board member Howard Godwin joined the meeting at 7:02 p.m.

OLD BUSINESS

Updates:

Town Planner Dylan Eure updated the Planning Board on the status of previously heard rezonings.

12 Red Hill Church Road that had been rezoned to entirely commercial B-2, as well as 801 S 13th Street.

The parcels that Harnett Regional Water had petitioned to be rezoned in the ETJ were also approved to be rezoned as R-D. These had all been heard by the Board of Commissioners and passed.

NEW BUSINESS

ZT-2025-011

Town Planner Dylan Eure informed the Board that this rezoning request is for two adjacent parcels, one of which is known by its address of 45 Red Hill Church Road, or Harnett County Tax PIN 1507-14-3913.000. This parcel is 1.79 acres and is currently under the B-2, M-1, and R-10 zoning classifications.

The additional parcel has no address but is known by the Harnett County Tax PIN 1507-15-4111.000, and

is 1.62 acres. It is currently under the M- and R-10 zoning classifications. This petition would rezone both parcels to be under the R-10 zoning classification.

It is believed by staff that these parcels were zoned in this manner due to the US 421/East Jackson Blvd expansion, which blanket zoned parcels abutting the roadway.

Town Planner Dylan Eure stated that while this request is inconsistent with the 2023 Land Use Plan, it is a reasonable request due to the applicant's current use of the properties. The parcel at 45 Red Hill Church Road currently has two single family homes on the parcel.

Chairperson Nicholas Skatell asked if there was anyone to speak in favor of the request.

The applicant, Ms. Martha Stancil, of 45 Red Hill Church Road, came forward. She stated that she and her husband are requesting the rezoning due to the current industrial or commercial zoning classification, her tax bills are over \$3,800 per year. She and her husband live on social security and this creates a hardship. She gets a tax bill for the industrial and a separate bill for the residential.

Board Member Michael Jackson stated that he wants to help, but also wants to also stay within what is best for the Town.

Town Planner Dylan Eure stated that the property valuations are done through the Harnett County Tax Department, but that those valuations are linked to the classification and that commercial is typically charged much higher. He also stated that if this is recommended for approval tonight, that the Board of Commissioners would hear it at the February 2026 meeting for approval. If this rezoning is approved, once the minutes for that meeting are approved, the applicants would be able to contact the Tax Department for an adjustment/re-evaluation.

Board Member Kathryn Moore made a motion to approve the rezoning request, which was seconded by Marsha Woodard. **The Board voted unanimously.**

Town Planner Dylan Eure informed the Board that while it has been approved by the Planning Board, this particular rezoning would require a Statement of Inconsistency, since the approval goes against the Town's 2023 Land Use Plan.

Chairperson Nicholas Skatell asked the Board to read the Statement of Inconsistency.

Board Member Marsha Woodard read the following Statement of Inconsistency:

"Although Erwin's 2023 Land Use Plan calls for this area to be zoned for commercial and high-density mixed uses, it is reasonable to allow the parcels to return to a sole zoning classification that is in line with the parcels current use.

Therefore, it is recommended that ZT-2025-011 be **approved.**"

Board member Rebecca Kelly made a motion in the affirmative, which was seconded by Kathryn Moore. **The Board voted unanimously.**

Statement of Inconsistency

ZT-2025-011

Although Erwin's Land Use Plan calls for this area to be zoned for commercial and high-density mixed uses, it is reasonable to allow the parcels to return to a sole zoning classification that is in line with the parcels current use.

Therefore, it is recommended that ZT-2025-011 **be approved.**

A handwritten signature in black ink, appearing to read 'N. Skatell', written over a horizontal line.

Nicholas Skatell
Chairperson

A handwritten signature in black ink, appearing to read 'K. Blount', written over a horizontal line.

Katelan Blount
Deputy Town Clerk

Statement of Inconsistency
ZT-2025-011

Although Erwin's Land Use Plan calls for this area to be zoned for commercial and high-density mixed uses, it is reasonable to allow the parcels to return to a sole zoning classification that is in line with the parcels' current use. Therefore, it is recommended that **ZT-2025-011 is approved.**

Randy Baker
Mayor

Lauren Evans NCCMC
Town Clerk

Statement of Inconsistency
ZT-2025-011

Since Erwin's Land Use Plan calls for this area to be zoned for commercial and high-density mixed uses, it is not reasonable to allow the parcels to return to a sole zoning classification that is against Erwin's 2023 Land Use Plan. Therefore, it is recommended that **ZT-2025-011 is denied**.

Randy Baker
Mayor

Lauren Evans NCCMC
Town Clerk



TOWN OF ERWIN

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Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

**ORDINANCE FOR MAP AMENDMENT CASE # ZT-2025-011
AMENDMENT TO THE OFFICIAL ZONING MAP TO REZONE
FROM B-2, M-1, AND R-10 TO ENTIRELY R-10 FOR
HARNETT COUNTY PIN 1507-14-3913.0000 AND
FROM M-1 AND R-10 TO ENTIRELY R-10 FOR
HARNETT COUNTY PIN 1507-15-4111.0000
PER ZONING ORDINANCE ARTICLE XXIII.
ORD 2025-2026: 010**

Per Chapter 36 Zoning, Article XXIII, Changes and Amendments, Harnett County PINS 1507-14-3913.000 and 1507-15-4111.000 owned by STANCIL JOSEPH E JT W/ROS & STANCIL MARTHA ANN R JT W/ROS have been rezoned to R-10 Case # ZT-2025-011.

Matthew S. Willis Register of Deeds
Harnett County, NC
Electronically Recorded
07/07/2025 11:35:00 AM NC Rev Stamp: \$0.00
Book: 4293 Page: 1338 - 1340 (3) Fee: \$26.00
Instrument Number: 2025012519

HARNETT COUNTY TAX ID#
061507 0337 1
061507 0337 2
07-07-2025 BY MB

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$0.00

Parcel Identifier No. 061507 0337 1 and 061507 0337 2
Verified by Harnett County on the _____ day of _____, 2025
By: _____

Mail/Box to: **Grantee**

This instrument was prepared by: Senter, Stephenson, Johnson, P.A. [WITHOUT TITLE SEARCH/TAX ADVICE]
Brief description for the Index: Two Tracts: 1.79 and 1.62 AC Home Place

THIS DEED made this 2nd day of July, 2025, by and between

GRANTOR

**JOSEPH E. STANCIL AND WIFE,
MARTHA ANN R. STANCIL**

47 Red Hill Church Road
Dunn, NC 28334

GRANTEE

**JOSEPH E. STANCIL AND WIFE,
MARTHA ANN R. STANCIL**
(A 99 percent interest)
BRIAN KELLY STANCIL, married
(A 1/5 of one percent interest)
DAVID JASON STANCIL, unmarried
(A 1/5 of one percent interest)
ROBERT LYNN STANCIL, married
(A 1/5 of one percent interest)
CHRISTOPHER PAUL STANCIL, unmarried
(A 1/5 of one percent interest)
BETH STANCIL BERGER, married
(A 1/5 of one percent interest)

**AS JOINT TENANTS WITH RIGHT OF
SURVIVORSHIP**

47 Red Hill Church Road
Dunn, NC 28334

Enter in appropriate block for each Grantor and Grantee: name, mailing 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.

Submitted electronically by Senter, Stephenson, Johnson, PA in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Harnett County Register of Deeds.

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 of that certain lot or parcel of land situated in **Harnett County**, North Carolina and more particularly described as follows:

See attached "Exhibit A" for Legal Description

**THE PURPOSE OF THIS DEED IS TO CREATE JOINT TENANCY WITH
RIGHT OF SURVIVORSHIP WITH EACH GRANTEE.**

The property herein above described was acquired by Grantor by instrument recorded in Book 4293, Page 1291, Harnett County Registry.

All or a portion of the property herein conveyed ☒ includes or ☐ does not include the primary residence of a Grantor.

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, other than the following exceptions:

1. **General service and utility easements, restrictions, and rights-of-way of record;**
2. **2025 Ad Valorem taxes, not yet due and payable.**

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

By: Joseph E. Stancil (SEAL)
Joseph E. Stancil

By: Martha Ann R. Stancil (SEAL)
Martha Ann R. Stancil

State of North Carolina
County of Wake

I certify that **Joseph E. Stancil** and **Martha Ann R. Stancil** each personally appeared before me this day and acknowledged the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 2nd day of July, 2025.



Linda Funke Johnson
Linda Funke Johnson, Notary Public

My Commission Expires: 11/4/2028

EXHIBIT A

BEING the remaining portion less any out conveyances of the lands owned by Martha H. Hodges at the time of her death lying on the south side of the center line of the Carolina Power & Light Company power line crossing said property, the same consisting of the remainder of the seventeen (17) acres inherited by the said Martha H. Hodges from her mother, Thenie Bryant. This is the identical property devised under Item II of the will and codicils of Martha H. Hodges which is File No. 88-E-398 filed in the office of the Clerk of Superior Court of Harnett County, Incorporated herein by reference.

Remaining portion being described as:

TRACT 1:

PID: 061507 0337 1

PIN: 1507-14-3913.000

Physical Address: 45 Red Hill Church Road, Dunn, NC 28334

BEING 1.79 acres of the 3.41 acre "Home Place", and being a portion of the Martha H. Hodges property described in Book 3588, Page 0622, Harnett County Registry.

TRACT 2:

PID: 061507 0337 2

PIN: 1507-15-4111.000

Physical Address: Red Hill Church Road, Dunn, NC 28334

BEING 1.62 acres of the 3.41 acre "Home Place", and being a portion of the Martha H. Hodges property described in Book 3588, Page 0622, Harnett County Registry.

Adopted this 5th day of February 2026.

Randy Baker
Mayor

ATTEST:

Lauren Evans NCCMC
Town Clerk

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: February 5, 2026

Subject: SU-2025-004

The Town of Erwin has received a Special Use application to build a two-family home at 301 West F Street. The property can also be identified by its Harnett County Tax PIN # 0597-53-4539.000. Currently, there is a single-family structure on this parcel. If the Special Use permit is granted, the property owner will demolish the existing structure on the property. Town Staff has followed all the required steps to properly advertise the public hearing for this request.

Attachments:

- Town Planner's Memo
- SU-2025-004 Application
- SU-2025-004 Staff Report
- Harnett County GIS No Zoning
- Harnett County GIS with Zoning
- SU-2025-004 Deed
- Town of Erwin Land Use Plan
- RMV District Text Amendment Ordinance
- Property Owners Notified
- Public Notice Letter
- Newspaper Public Hearing Notice



TOWN OF ERWIN

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2/05/2026

SU-2025-004 **Memorandum**

Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

Special Use Description

The Town of Erwin has received a special use application for 301 West F Street to demolish the existing home and replace the existing structure with a two-family home. (duplex) The two-family home will be approximately 2,600 square feet and have a total of 4 beds and 4 baths, with each unit having 2 beds and 2 baths. For parking, the applicant has offered 6 parking spaces. In terms of parcel size, the location has a total of 14,511 square feet with 97 feet of road frontage/ parcel width.

Site Description and Surrounding Land Uses

A single parcel located by its physical address of 301 West F Street, zoned under the Residential Mill Village. (RMV) The said parcel is .34 acres or 14,511 square feet and has 97 feet of road frontage/parcel width. Per Erwin's Zoning Ordinances, the proposed site plan is compliant with all of Erwin's regulations for two-family dwellings located within the RMV zoning district. In order to place a two-family home within the RMV zoning district, the applicant must have a minimum parcel size of 9,000 square feet, and 75 feet in parcel width, which the applicant has. According to the proposed site plan, the applicant is also able to meet all other requirements of two-family homes within the RMV district. The required parking for two-family homes within the RMV is 2.5 parking spaces per unit, totaling 5 parking spaces, with each space being a minimum of 8 feet by 20 feet. According to the site plan submitted, the proposed development has two 24-foot by 35-foot slabs, which translates to 6 parking spaces according to Erwin's parking space dimensional requirements. In terms of setback requirements, the two-family home will conform to all setback requirements within the RMV district. Said setbacks for this parcel would be 15 feet from the front and rear property lines and 8 feet from both of the side property lines. In terms of environmental concerns for the property, there does not appear to be any wetlands, protected watersheds, or flood zones located within the property. That being said, on Harnett County GIS, there does appear to be a sewer line running through the middle of the property. However, according to Harnett Regional Water, the said sewer line shown on GIS is just an old sewer service line that was later abandoned when a new tap for the property was installed, and should not be an issue with the redevelopment of the parcel.

The surrounding land uses comprise a mix of residential and industrial uses. The primary residential style is traditional detached single-family dwellings. While the industrial land uses are

all completely contained just north of the parcel, which is the Central Carolina Industrial Park. Although the majority of neighboring properties are single-family dwellings, according to Erwin's 2023 Land Use Plan, additional housing options such as two-family dwellings should be encouraged within the Residential Mill Village to promote housing diversity and resiliency.

Regards,

Dylan Eure
Town Planner



TOWN OF ERWIN

100 West F St., Post Office Box 459
Erwin, NC 28339
(910) 897-5140 V (910) 897-5543 F
www.erwin-nc.org

SPECIAL USE PERMIT APPLICATION

In the Matter Of the Request to the Erwin Board of Commissioners

Applicant Name	Alan Stewart	Property Owner Name	Alan Stewart
Mailing Address	16150 Spivy's corner Hwy	Mailing Address	Same
City, State, Zip	Dunn NC, 28334	City, State, Zip	Same
Telephone	910-890-2473	Telephone	Same
Email	AS.corn@services@gmail.com	Email	

Address of Subject Property	301 W F St Erwin NC, 28339		
Parcel Identification Number(s) (PIN) of Subject Property	0597 - 53 - 4539 .000		
Legal Relationship of Applicant to Owner	Same Person	Floodplain SFHA	Yes ☒ No
Legal Description: Lot	2	Block	Subdivision Erwin M: 11s
Zoning District	Wetlands	Yes ☒ No	Watershed Area Yes ☒ No
Public Water Available: ☒ or N	Public Sewer Available: ☒ or N	Existing Septic Tank: Y or ☒ N	
Number of Buildings to Remain	Gross Floor Area to Remain		
Describe Proposed Project or Request with Conditions proposed by applicant: To build a 2bed 2bath duplex (total of 4 bed & 4 bath)			
Total Acreage or Square Footage to be Disturbed	.30 acres		
Estimated Cost of Project \$	250,000		

Attach a scaled illustrative plot or site plan showing all lot dimensions, buildings, structures, driveways, parking spaces, and distances between structures and property lines.

Provide complete mailing addresses for each adjacent property owners (also property within 100 feet) and/or property owners directly across a street, if any. Names and addresses must be from current Harnett County tax listings.

Office Use Only 400	
Date Application Submitted 2/19/25	Application Fee \$350 Received By _____
Case # SU-2025-004	



TOWN OF ERWIN

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Special Use Signature Page

It is understood by the undersigned that the development and execution of the Special Use Permit is based upon the division of the Town into districts within which districts the use of land and buildings, and the bulk and location of buildings and structures in relation to the land, is substantially uniform. It is recognized, however, that there are certain uses which, because of their characteristics, cannot be properly classified in any particular district or districts, without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular location. Such special uses fall into two categories.

1. Uses publicly operated or traditionally affected with a public interest
2. Uses entirely private in character, but of such unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

The Zoning Ordinance as originally adopted and as subsequently amended is presumed by the Town to be appropriate to the property involved and that the burden of proof for a Special Use approval rests with the applicant. Applicant is encouraged to discuss the proposed use with affected property owners.

It is further understood that prior to the granting of any special use, the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as it is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in 9- 411.5 of the Town Code. In all cases in which special uses are granted, the Board of Commissioners shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

- Such conditions may include a time limitation;
- Conditions may be imposed which require that one or more things be done before the use requested can be initiated. (For example, "that a solid board fence be erected around the site to a height of 6 feet before the use requested is initiated");
- Conditions of a continuing nature may be imposed. (For example, "exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.")

Compliance with Other Codes: Granting of a Special Use Permit does not exempt applicant from complying with all of the requirements of building codes and other ordinances.

SU-2025-004

Signature Page

Page 1 of 2

Revocation: In any case where the conditions of the Special Use Permit have not been or are not being complied with, the Building Inspector shall give the permitted notice of intention to revoke such permit at least ten (10) days prior to a Board of Commissioners review thereof. After conclusion of the review, the Board of Commissioners may revoke such permit.

Expiration: In any case where a Special Use Permit has not been exercised within the time limit set by the Board of Commissioners, or within one year if no specific time limit has been set, then without further action, the permit shall be null and void. "Exercised" as set forth in this section shall mean that binding contracts for the construction of the main building have been let; or in the absence of contracts that the main building is under construction to a substantial degree; or that pre-requisite conditions involving substantial investment are contracted for, in substantial development, or completion (sewer, drainage, etc.). When construction is not part of the use, "exercised" shall mean that the use is in operation in compliance with the conditions set for in the permit.

Duration: Duration of a special use and any conditions attached shall be perpetually binding to the property unless it is expressly limited.

Applicant Signature and Date: _____

ah & A



TOWN OF ERWIN

100 West F St., Post Office Box 459
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(910) 897-5140 V (910) 897-5543 F
www.erwin-nc.org

SPECIAL USE APPLICATION

Record of Adjacent Property Owners

With Mailing Addresses Per Harnett County Land Records

Property Owner (1)	<u>Robert Wilson</u>	Mailing
Address	<u>307 W Fst</u>	City <u>Erwin</u> ST <u> </u> Zip <u> </u>
Property Owner (2)	<u>Jean & James Bradley</u>	Mailing
Address	<u>308 W Est</u>	City <u>Erwin</u> ST <u> </u> Zip <u> </u>
Property Owner (3)	<u>Dean & Christie Price</u>	Mailing
Address	<u>306 W Est</u>	City <u>Erwin</u> ST <u> </u> Zip <u> </u>
Property Owner (4)	<u>Jesus & Rosalva Alvarado</u>	Mailing
Address	<u>304 W Est</u>	City <u>Erwin</u> ST <u> </u> Zip <u> </u>
Property Owner (5)	<u>Seth Lackamy</u>	Mailing
Address	<u>302 W Est</u>	City <u>Erwin</u> ST <u> </u> Zip <u> </u>
Property Owner (6)	<u>Andrea Alvarado</u>	Mailing
Address	<u>304 S 15 St</u>	City <u>Erwin</u> ST <u> </u> Zip <u> </u>
Property Owner (7)	<u>Hazel Chrisp</u>	Mailing
Address	<u>302 S 15 St</u>	City <u>Erwin</u> ST <u> </u> Zip <u> </u>
Property Owner (8)	<u>David Rivera</u>	Mailing
Address	<u>300 S 15 St</u>	City <u>Erwin</u> ST <u> </u> Zip <u> </u>
Property Owner (9)	<u>Calvin & Shirley Waver</u>	Mailing
Address	<u>305 W Fst</u>	City <u>Erwin</u> ST <u> </u> Zip <u> </u>
Property Owner (10)	<u>200 North 13 LLC</u>	Mailing
Address	<u>200 N 13 St</u>	City <u>Erwin</u> ST <u> </u> Zip <u> </u>
Property Owner (11)		Mailing
Address		City <u> </u> ST <u> </u> Zip <u> </u>
Property Owner (12)		Mailing
Address		City <u> </u> ST <u> </u> Zip <u> </u>
Property Owner (13)		Mailing
Address		City <u> </u> ST <u> </u> Zip <u> </u>

SU-2022 004

Adjacent Property Owners

1

Action by the Board of Commissioners

In granting a Special Use Permit the Board of Commissioners shall make written findings that the applicable regulations of the district in which it is located are fulfilled. With due regard to the nature and state of all adjacent structures and uses, the district within which same is located, and official plans for future development, the Board of Commissioners shall also make written findings that the following provisions are fulfilled:

1. The use requested is listed among the special uses in the district for which application is made
2. The requested use is essential or desirable to the public convenience or welfare
3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare
4. The requested use will be in conformity with the Land Development Plan
5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided
6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets
7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.



TOWN OF ERWIN

100 West F St., Post Office Box 459
Erwin, NC 28339
(910) 897-5140 V (910) 897-5543 F
www.erwin-nc.org

IMPORTANT

This is a complete Special Use Application package consisting of 10 pages. For this application to be accepted, it must be completed and returned with all required documents and entries.

Do be aware that under certain conditions the applicant may be required to obtain a Driveway Permit from the NC Department of Transportation prior to Special Use Permit approval.

Using the Zoning Ordinance

- Go to the applicable zoning district in Article 3. That section will serve as a guide to begin the development of your site plan. This section will also direct you to pertinent requirements such as: parking, sign, lighting, and other general provision such as streetscape requirements and other general development regulations that may apply to the proposed development.
- Be sure to read Article 11 – Special Uses.
- Complete the Special Use Permit Application, the Special Use Signature page, and the Record of Adjacent Property Owners sheet; and include other required information with the application. Use additional pages if necessary. Adjacent property owners' names must be from current Harnett County tax listing; so this requires that the applicant contact Harnett County. Addresses of the adjacent property owners must be complete which includes name, mailing address, and zip code.
- The submitted site plan must be drawn to scale and include all dimensions and required provision. Of these dimensions and other requirements, be sure to include the following:
 - Existing structures on the proposed lot, their dimensions and distances between on another and the lot's property lines
 - Proposed structures including their dimensions and distances from other structures on the lot and proposed distances from property lines (i.e. setbacks)
 - All easements and rights-of-way located on the proposed lot
 - All natural features including tree lines, drainage ways, etc.
 - The location and dimensions of required parking area(s) as may be required by Ordinance
 - Proposed lighting plans as may be required by Ordinance
 - Demonstration of the placement of buffers and streetscape as may be required by ordinance

SU-2012-004

Important

Page 1 of 1



TOWN OF ERWIN

100 West F St., Post Office Box 459
Erwin, NC 28339
(910) 897-5140 V (910) 897-5543 F
www.erwin-nc.org

Processing Requirements

Special Uses are not Uses by Right. It is the responsibility of the applicant to demonstrate that the requested use will meet the minimum requirements set forth in the Erwin Zoning Ordinance. The Board's decision will be greatly influenced by the completeness and neatness of the submitted application.

A requested and very necessary tool is the site plan. Its importance cannot be overstated. Applicant is encouraged to portray in detail and to accurately scale the property boundaries, improvements, and any natural features. In some cases, approval or denial may depend on the quality of the Site Plan.

If the proposed use involves business operations, description of the anticipated activity needs to be sufficiently disclosed. This will assist the Board in determining the Town's infrastructure capability, the public health and safety considerations such as traffic and noise, and how neighboring property may be affected.

All uses require dedicated parking spaces and some may require lighting, buffering, fences, landscaping, and other elements. It is suggested that the applicant spend some time reading the Town's Zoning Ordinance prior to application. Copies of the Zoning Ordinance may be purchased at Town Hall. Copies are available in the Erwin Library and Town Hall for review. An electronic copy of the Ordinance can be found on the Town website as well at www.erwin-nc.org.

A complete application consists of all documents included in the application package and any required maps, site plan, and/or related documents. These documents become the property of the Town. It is the applicant's responsibility to submit 10 copies of this completed application. Each member of the Governing Board receives a copy including the Town Manager, Town Clerk, Town Attorney, and Code Enforcement Officer.

The completed application and fees must be submitted no later than the first Friday of the month to be placed on following month's Town Board Agenda.

Town of Erwin Record and Decisions

Office Use Only

Notice Mailed _____ Property Posted _____ Newspaper Advertised Date _____

Public Hearing Date and Comments: _____

Governing Body Motion

Record of Decision:

Yea Nay

☐	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐

Town Board Decision and Date _____

Certified By: _____

LEGEND

POB Point of Beginning

- New Iron Set
- Iron Pin Found
- Wooden Bollard
- Found Stone
- Found Stake and Stone
- Cotton Spindle Set
- Record Stone Not Found
- Property Lines
- Fence Line
- Centerline of Road
- Edge of Asphalt
- Woodline
- Edge of Concrete
- E- Overhead Electric

This survey in of another category,
not for recordation sales or conveyances

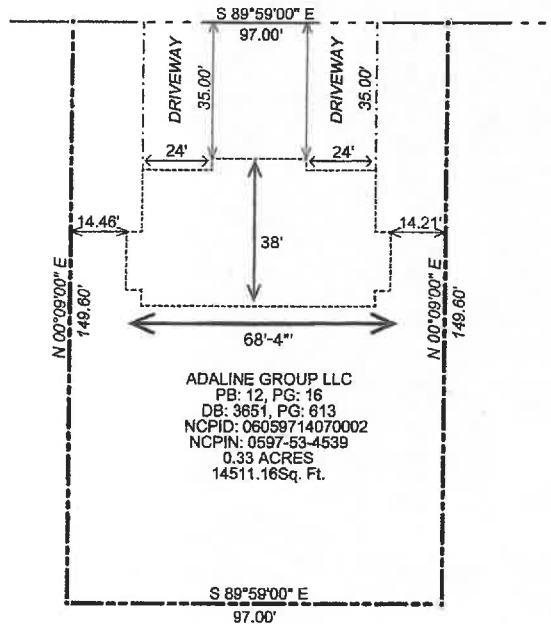
VICINITY MAP



WEST F STREET
60' PUBLIC RW

MINIMUM BUILDING SETBACKS

FRONT YARD 15'
REAR YARD 15'
SIDE YARD 8'
HEIGHT 35'



NOTES:

1. All EIS and EIPs are "Control Corners".
2. No NCGS Monuments found within 2000' of the Property.
3. All bearings are referenced to Deed Bk 3651, Pg 613, and Plat Bk 12, Pg 16 all distances are horizontal.
4. Deed references as noted on map.

CERTIFICATE OF OWNERSHIP and DEDICATION: I (we)

certify that I am (we are) the owner (owners) or agent of the property shown and described hereon, that I (we) adopt this subdivision plan with my (our) free consent, establish the minimum building setbacks, and dedicate streets, alleys, walks, parks, and other sites and easements to public or private use as noted.

Date

Owner / Owners / Agent

SURVEY
OF

SITEPLAN FOR
ADALINE GROUP LLC
301 WEST F ST., ERWIN, NC. 28339

TOWNSHIP: DUKE STATE: NORTH CAROLINA

COUNTY: HARNETT DATE: JULY 15, 2025

TOWN OF ERWIN

ZONED
RMV

NCPID: 06059714070002 NCPIN: 0597-53-4539

OWNER: ADALINE GROUP LLC
8231 NEWTON GROVE HWY
DUNN, NC 28334

ON THE LEVEL .
LANDSURVEYING, PLLC.

JAMES LONNIE PEACOCK, PLS

FIRM # P-2158

NC Reg. Land Surveyor No. L-5141

1646 DENNING RD. BENSON, N.C 27504

TELEPHONE: 919-422-3580

SCALE 1" = 30' FEET



**Town of Erwin Planning Board
Special Use Guidelines for Findings of Fact**

1. The use requested is listed among the special uses in the district for which application is made:
☒ Yes ☐ No Duplex is within special use of the RV district
2. The requested use is essential or desirable to the public convenience or welfare
☒ Yes ☐ No Duplex is increasing housing diversity
3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare
☒ Yes ☐ No No evidence showing duplex will harm the surrounding areas.
4. The requested use will be in conformity with the Land Development Plan
☒ Yes ☐ No according to the Land Use Plan duplexes are desirable in the RV district.
5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided
☒ Yes ☐ No Harmett Regional has confirmed the site can be connected
6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets
☒ Yes ☐ No Parking spaces do meet Erwin's required ordinance.
7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners pursuant to the recommendations of the Planning Board
☒ Yes ☐ No All site elements meet Erwin's standards

SU-205 094

Finding of Facts

1

 Outlook

Fwd: 301 W F St

From Alan Stewart <alan@naylorrealty.com>
Date Mon 7/14/2025 12:06 PM
To Dylan Eure <deure@erwin-nc.org>

Is this email from Harnett regional water good enough?

----- Forwarded message -----

From: **Randolph Clegg** <rclegg@harnett.org>
Date: Mon, Apr 28, 2025 at 7:33 AM
Subject: RE: 301 W F St
To: Alan Stewart <alan@naylorrealty.com>

Good morning,

We were able to confirm that the sewer line shown on our maps is just a old sewer service line for the existing house # 301 W F St. Looks like this line was abandoned at some point and a new sewer tap was installed for 301 W F ST. The sewer line in question will not be an issue with any future construction.

From: Alan Stewart <alan@naylorrealty.com>
Sent: Friday, April 25, 2025 10:22 AM
To: Randolph Clegg <rclegg@harnett.org>
Subject: Re: 301 W F St

Ok, thanks for the update.

On Fri, Apr 25, 2025 at 7:49 AM Randolph Clegg <rclegg@harnett.org> wrote:

Our plan is to try to gather more information on this today.

From: Alan Stewart <alan@naylorrealty.com>
Sent: Thursday, April 24, 2025 2:55 PM
To: Katherine E. Moore <kemoore@harnett.org>
Cc: Jay Meyers <jmeyers@harnett.org>; Brandy Champion <bchampion@harnett.org>; Randolph Clegg <rclegg@harnett.org>
Subject: Re: 301 W F St

Following up to see if there are any updates?

On Tue, Apr 15, 2025 at 11:34 AM Katherine E. Moore <kemoore@harnett.org> wrote:

Per sewer supervisor.

This is an active line and they are verifying the location. Will update once I get more information.

From: Alan Stewart <alan@naylorrealty.com>
Sent: Tuesday, April 15, 2025 11:33 AM
To: Katherine E. Moore <kemoore@harnett.org>
Cc: Jay Meyers <jmeyers@harnett.org>; Brandy Champion <bchampion@harnett.org>; Randolph Clegg <rclegg@harnett.org>
Subject: Re: 301 W F St

Any updates?

On Mon, Apr 14, 2025 at 11:19 AM Katherine E. Moore <kemoore@harnett.org> wrote:

Alan Stewart, he is cc'd in the email:

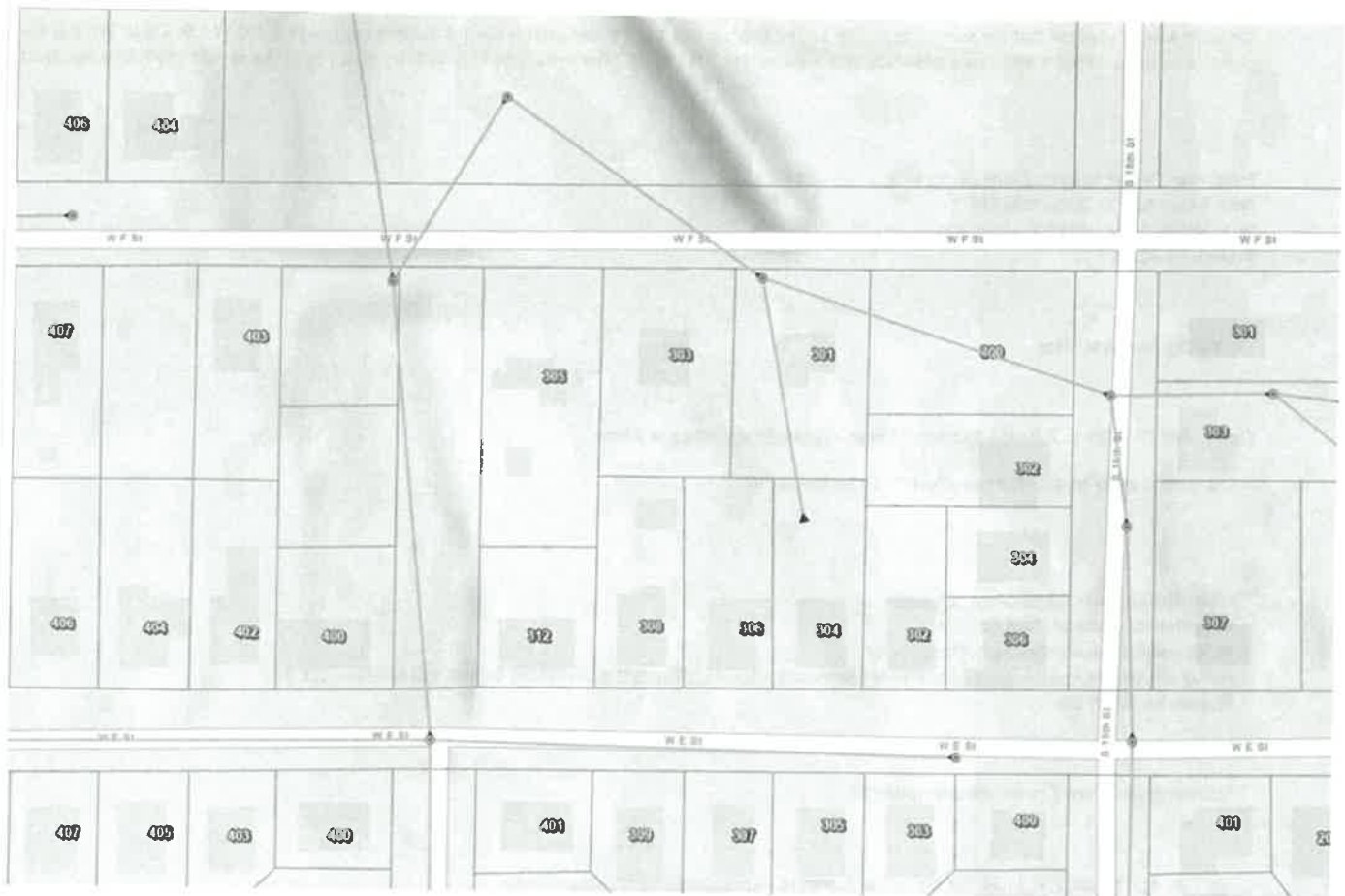
910-890-2473

Called in inquiring about the property in Erwin 301 W F st.

There is a sewer line running right through the property. Please see below.

He is wanting to tear down the house and build a duplex on that lot but the duplex will definitely go over the line CONNECTING 301 TO 304. He is wondering how that will work and if he is allowed to? Is the line active? Is the line for the service at 301 W E ST.

Thanks for any help you can give.



Katherine Moore

Senior Engineer Tech

Harnett Regional Water



(910) 814-6482 (office) | (910) 624-5025 (cell) | kemoore@harnett.org

700 McKinney Parkway. (Physical) | PO Box 1119 (mailing) | Lillington, NC 27546

www.harnettwater.org



SPECIAL USE REQUEST STAFF REPORT

Case: SUP-2025-004

Dylan Eure, Town Planner

deure@erwin-nc.org

Phone: (910) 591-4201 Fax: (910) 897-5543

Public Hearing Date: Thursday, February 5th, 2026

The Town of Erwin has received a special use application for 301 West F Street to replace the existing structure with a two-family home. (duplex) The two-family home will be approximately 2,600 square feet and have a total of 4 beds and 4 baths, with each unit having 2 beds, 2 baths, and separate kitchen facilities. For parking, the applicant has offered 6 parking spaces. In terms of parcel size, the location has a total of 14,511 square feet with 97 feet of road frontage/ parcel width.

Applicant Information

Owner of Record:

Name: Alan Stewart

Address: 16150 Spivey's Corner Hwy

City/State/Zip: Dunn, NC 28334

Applicant:

Name: Alan Stewart/Adaline Group LLC

Address: 8231 Newton Grove HWY

City/State/Zip: Dunn, NC 28334

Property Description

Address of Property: 301 West F Street

Harnett County Tax PIN: 0597-53-4539.000

Acres/Square Footage: .34 acres or 14,511 Square Feet

Zoning District: RMV – Residential Mill Village

Type of Decision:

- Quasi-Judicial

Vicinity Map

- See Attached Document

Physical Characteristics

Site Description:

A single parcel located by its physical address of 301 West F Street, zoned under the Residential Mill Village. (RMV) The said parcel is .34 acres or 14,511 square feet and has 97 feet of road frontage/parcel width. Per Erwin's Zoning Ordinances, the proposed site plan is compliant with all of Erwin's regulations for two-family dwellings located within the RMV zoning district. In order to place a two-family home within the RMV zoning district, the applicant must have a minimum parcel size of 9,000 square feet, and 75 feet in parcel width, which the applicant has. According to the proposed site plan, the applicant is also able to meet all other requirements of two-family homes within the RMV district. The required parking for two-family homes within the RMV is 2.5 parking spaces per unit, totaling 5 parking spaces, with each space being a minimum of 8 feet by 20 feet. According to the site plan submitted, the proposed development has two 24-foot by 35-foot slabs, which translates to 6 parking spaces according to Erwin's parking space dimensional requirements. In terms of setback requirements, the two-family home will conform to all setback requirements within the RMV district. Said setbacks for this parcel would be 15 feet from the front and rear property lines and 8 feet from both of the side property lines. In terms of environmental concerns for the property, there does not appear to be any wetlands, protected watersheds, or flood zones located within the property. On Harnett County GIS, there does appear to be a sewer line running through the middle of the property. However, according to Harnett Regional Water, the said sewer line shown on GIS is just an old sewer service line that was later abandoned when a new tap for the property was installed, and should not be an issue with the redevelopment of the parcel.

Surrounding Land Uses:

The surrounding land uses comprise a mix of residential and industrial uses. The primary residential style is traditional detached single-family dwellings. While the industrial land uses are all completely contained just north of the parcel, which is the Central Carolina Industrial Park. Although the majority of neighboring properties are single-family dwellings, according to Erwin's 2023 Land Use Plan, additional housing options such as two-family dwellings should be encouraged within the Residential Mill Village to promote housing diversity and resiliency.

Services Available

- Electricity (Duke Energy)
 - Harnett Regional Water and Sewer
 - Erwin Police / Fire
-
-

Zoning District Compatibility

Special Use	RMV
Two-Family Dwellings	X

Staff Evaluation

☒ Yes ☐ No The use requested is listed among the special uses in the district for which the application is made.

- **Reasoning:** Two-family dwellings were added to the list of special uses within the Residential Mill Village during the regularly scheduled August 1st, 2024, meeting.

☒ Yes ☐ No The requested use is essential or desirable to the public convenience or welfare.

- **Reasoning:** Having additional housing options would benefit the community by diversifying Erwin's housing portfolio, while providing additional housing options for those who cannot afford/do not want traditional detached single-family homes.

☒ Yes ☐ No The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare.

- **Reasoning:** Although many of the surrounding properties are classified as single-family, there is no evidence as to why a two-family dwelling would harm the surrounding area.

☒ Yes ☐ No The requested use will be in conformity with the Land Development Plan.

- **Reasoning:** According to the 2023 Land Use Plan, two-family dwellings and other forms of residences should be encouraged within the Residential Mill Village to promote a healthy housing market.

☒ Yes ☐ No Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities have been or are being provided.

- **Reasoning:** The applicant has ensured that the development could be connected to Harnett Regional water & sewer lines and will retain all existing drainage facilities within the public right-of-way.

☒ Yes ☐ No That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

- **Reasoning:** The applicant has ensured that the development would have adequate parking spaces for the two-family dwelling.

☒ Yes ☐ No The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.

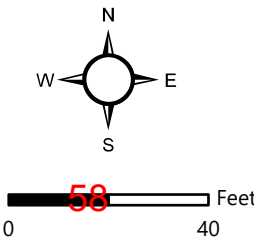
- **Reasoning:** The application in all aspects meets Erwin's requirements for two-family dwellings located within the Residential Mill Village District.

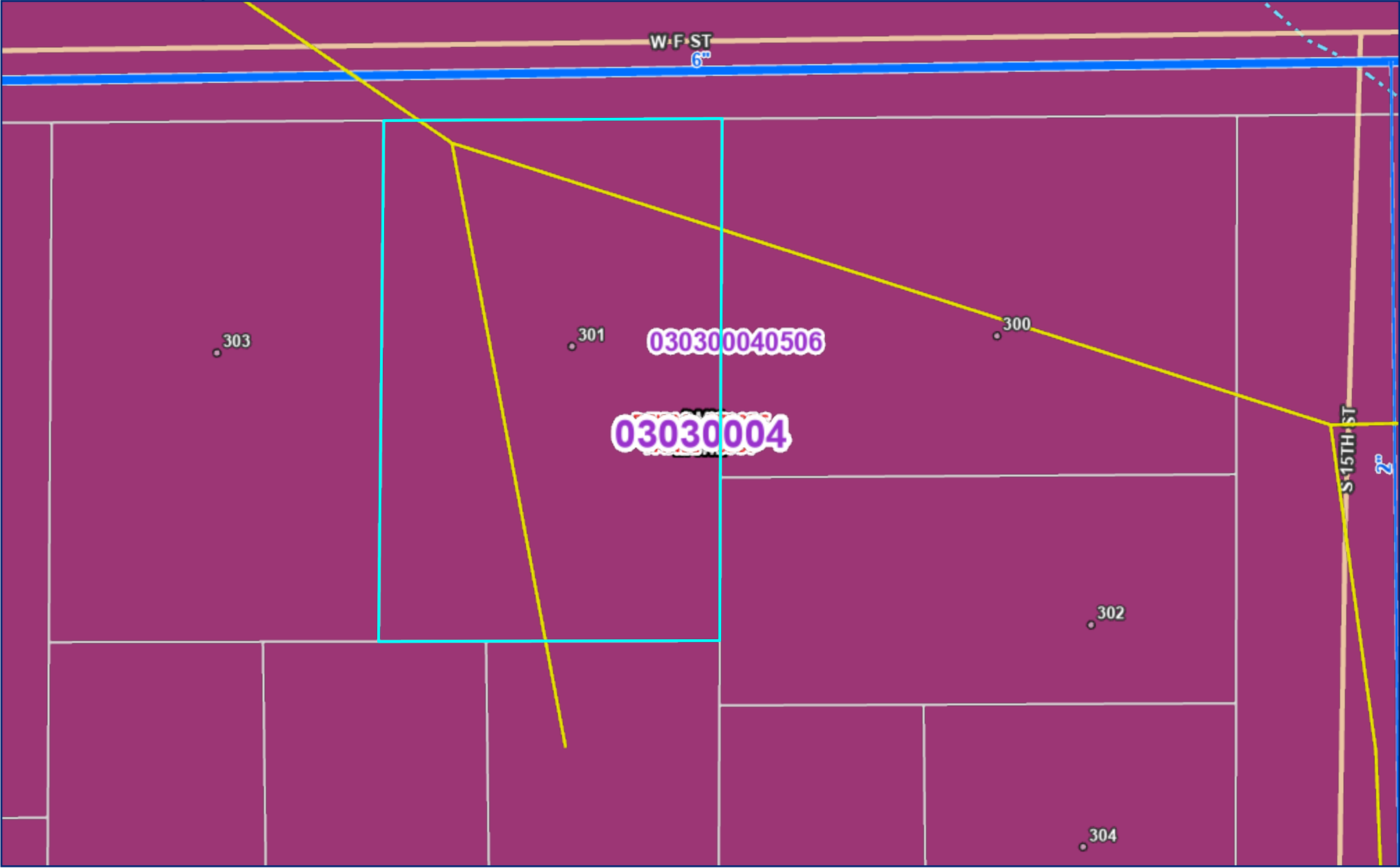
Statement of Consistency

According to Erwin's 2023 Land Use Plan Goal 1 Objective 4, the proposed special use permit for a two-family dwelling located at 301 West F Street is recommended to be **approved**.

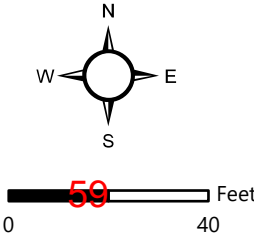


 Flood Map Index	 Gravity	 Road Centerlines	 Watershed HUC8
 County Boundary	 2 - 5	 Parcels	 Unnamed Flowline
 City Limits	 6 - 36	 Watershed HUC12	
 Address Numbers			





Flood Map Index	Gravity	Parcels	RMV
County Boundary	2 - 5	Watershed HUC12	ETJ
City Limits	6 - 36	Watershed HUC8	
Address Numbers	Road Centerlines	Unamed Flowline	



For Registration Kimberly S. Hargrove
Register of Deeds
Harnett County, NC
Electronically Recorded
2018 Nov 02 04:21 PM NC Rev Stamp: \$ 45.00
Book: 3651 Page: 613 - 615 Fee: \$ 26.00
Instrument Number: 2018015517

HARNETT COUNTY TAX ID#
06-0597-14-07-0002

11-02-2018 BY CW

Submitted electronically by Morgan & Perry Law, PLLC in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Harnett County Register of Deeds.

**NORTH CAROLINA
GENERAL WARRANTY DEED**

Excise Tax: \$ 45.00

Recording Time, Book and Page

Tax Map No.

Parcel Identifier No. 0597-53-4539

Mail after recording to: PO Box 1989; Fuquay-Varina, NC 27526

This instrument was prepared by: Morgan & Perry Law, PLLC

THIS DEED made this 2nd day of November, 2018 by and between

GRANTOR

**WILLIAM T. SAWYER and spouse,
DONNA K. SAWYER**

213 Norris Road
Dunn, NC 28334

GRANTEE

**ADALINE GROUP, LLC
a North Carolina Limited Liability Company**

8231 Newton Grove Highway
Dunn, NC 28334

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 Erwin, Harnett County North Carolina and more particularly described as follows:

See EXHIBIT A.

All or a portion of the property hereinabove described was acquired by Grantor by instrument recorded in Book 1544, Page 822, Harnett County Registry.

All or a portion of the property herein conveyed does not include the primary residence of the Grantor.

A map showing the above described property is recorded in Book _____ and Page _____ and referenced within this instrument.

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:

All such valid and enforceable easements, restrictions, and rights of way of record and any ad valorem taxes which may be outstanding.

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 officer(s), the day and year first above written.

(SEAL)

William T. Sawyer
WILLIAM T. SAWYER (SEAL)

By: _____

Donna K. Sawyer
DONNA K. SAWYER (SEAL)

Title: _____

NORTH CAROLINA

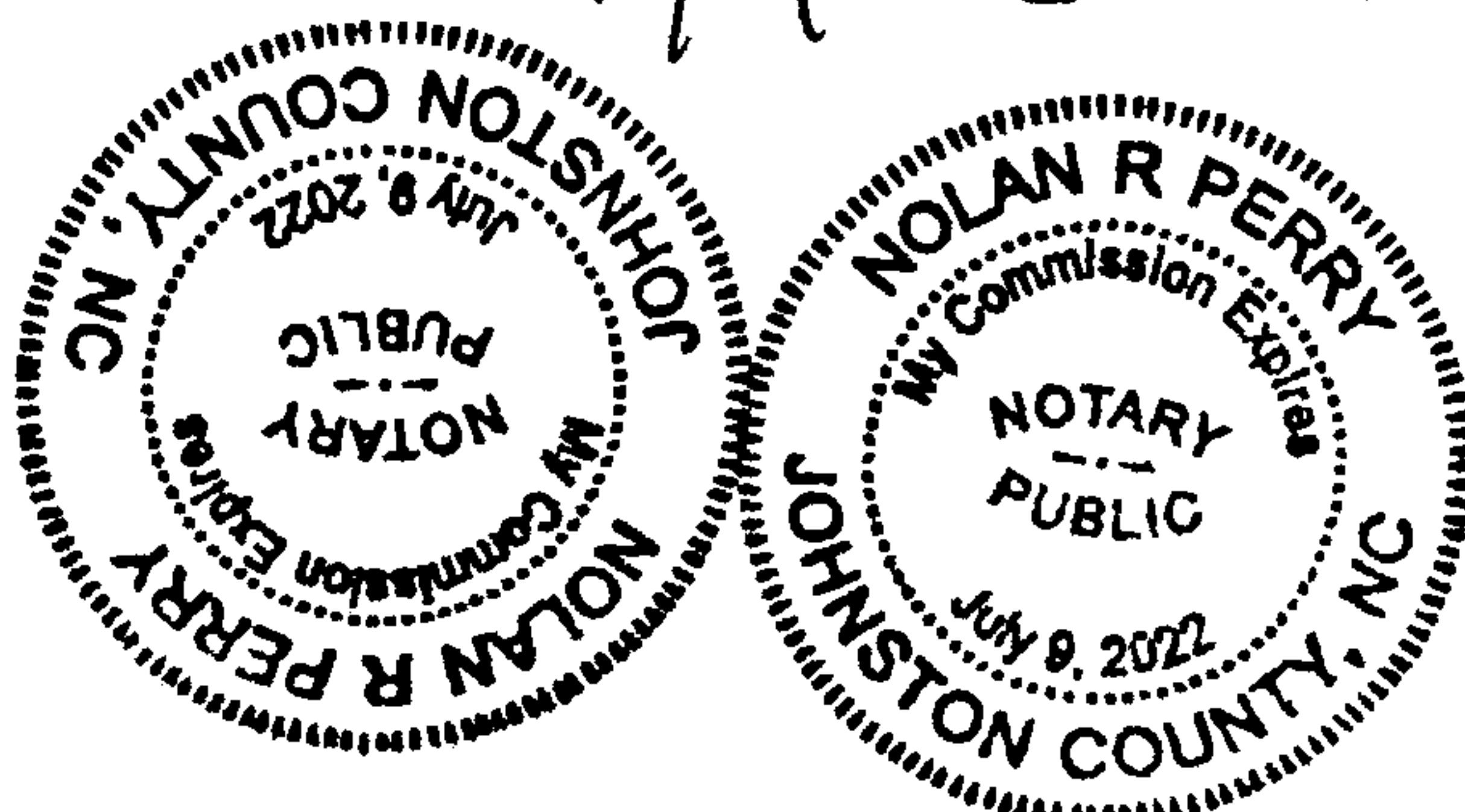
COUNTY OF SANDHILLS

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document:

WILLIAM T. SAWYER and DONNA K. SAWYER

Witness my hand and official stamp or seal, this the 2 day of November, 2014.

My Commission Expires: 7/9/22



Nolan R. Perry
Notary Public

Print Notary Name: Nolan R. Perry

EXHIBIT A

FIRST LOT: Lot No. 282 as shown on a plat entitled "Section 1 of a Subdivision of Erwin Mills, Inc. Erwin, NC by Pickell and Pickell, Engineers dated January, 1951" and recorded in the Office of Register of Deeds for Harnett County, NC, in Plat Book 6 at Pages 87, 88, 89, and 90 to which reference is hereby made for a more particular description.

SECOND LOT: Being Lot #2 fronting 97 feet to the South side of West "F" Street in Section No. 2 of the subdivision for Erwin Mills, Inc. as per plat and survey by Harold T. Turlington, Registered Surveyor, October 23 and 30, 1965 and recorded in Plat Book 12 at Page 16, Harnett County Registry, to which reference is hereby made for a more particular description.

Overview

The Recommendations section offers specific policy and programming recommendations and actions related land use, housing, transportation, infrastructure and services, parks, natural resources, and economic development. These recommendations aim to provide guidance on key topics and typically require coordination with Town leadership, Town departments, and partnering organizations in and close by Erwin and Harnett County. Supplemental information can be found in callout boxes to illustrate why recommendations were made, provide examples of success stories from other municipalities, and explain concepts. Recommendations are divided by the four goals from Chapter 1 of this Plan.

Land Use and Housing



Goal 1: Establish a land use pattern that promotes economic development and housing diversity while protecting the character of the town.

LUH 1: Utilize the Future Land Use map to guide rezoning and development decisions to ensure that the scale and intensity of development is consistent with the long-term vision of the town, availability of infrastructure and compatible with surrounding land uses.

LUH 2: Consider updates to the Zoning Ordinance to assist in the implementation of this Plan.

LUH 3: Encourage new residential development in appropriate locations and designed to fit the character of different parts of Town.

3.1: Encourage new residential subdivisions to be located in the Medium Density and Suburban Residential areas on the Future Land Use Map.

3.2: Development with increased density should be located in the Medium Density areas and Commercial/Mixed Use areas on the Future Land Use Map.



- 3.3:** Encourage subdivisions with larger lots and/or higher amounts of open space to be located in the Suburban Residential areas on the Future Land Use Map.

LUH 4: Allow for a variety of residential land uses.

- 4.1:** Encourage a mix of higher-density housing types to locate in Commercial/Mixed Use areas or near US 421.
- 4.2:** Allow a variety of small-scale attached housing types (accessory dwellings, duplexes, quads, townhomes) on well-located sites in the mill village.
- ◆ Consider allowing townhomes in more areas (Currently allowed only as a Special Use in R-10, R-6, RMV, and DMV districts).
 - ◆ Consider allowing duplexes, triplexes or quadplexes in more areas (currently allowed as a Special Use in R-6 only).
 - ◆ Consider allowing accessory dwelling units that meet design criteria (minimum setbacks, etc.).
- 4.3:** Allow a certain percentage of attached homes as part of new planned developments (i.e. 30% max).
- ◆ Encourage alley-loaded attached units with front porches and on-street parking to improve pedestrian safety.
 - ◆ Consider reduced setbacks and lot width requirements for rear loaded housing types.



LUH 5: Protect rural views on the edges of town.

- 5.1:** Discourage large stretches of “Fanny First” development (visible backs of homes) along major roads by encouraging tree preservation, planting buffers and location of open space along blocks.

ADALINE GROUP LLC
8231 NEWTON GROVE HWY DUNN,
NC 28334

WILSON ROBERT A H JR &
WILSON KAY H
303 WEST F STREET ERWIN, NC
28339-0000

WEAVER CALVIN E & WEAVER
SHIRLEY J
305 WEST F STREET ERWIN, NC
28339

200 NORTH 13 LLC
320 ROEBLING ST STE 125
BROOKLYN, NY 11211-6262

MODESTO SOTO VICTOR HUGO
7645 BENSON HARDEE RD BENSON,
NC 27504-6156

CHRISP HAZEL T
302 S 15TH STREET ERWIN, NC
28339-2005

ALVARADO ANDREA BALESKA
ROSALES
304 S 15TH ST ERWIN, NC 28339-
2005

PARKY PROPERTIES LLC
224 JEN MAR DR FUQUAY VARINA, NC
27526

LOCKAMY SETH
302 W E ST ERWIN, NC 28339

ALVARADO JESUS & ALVARADO
ROSALVA
304 W E ST ERWIN, NC 28339-2025

PRICE DEAN R & PRICE CHRISTIE
L
306 W E ST ERWIN, NC 28339

BRADLEY JEAN & BRADLEY JAMES
308 W E ST ERWIN, NC 28339-2025

MCLEAN REA CLARK HEIRS
312 W E ST ERWIN, NC 28339-2025



TOWN OF ERWIN

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1/12/2026

Notice of a Public Hearing SUP-2025-004

Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on February 5th, 2026 at 7:00 P.M. at the Erwin Town Hall, 100 West F Street, Erwin, North Carolina to hear public comment regarding the approval of a special use permit.

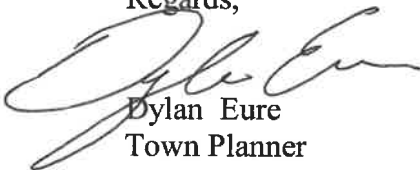
There has been a special land use application submitted to the Town of Erwin. The special use request includes a single parcel of land that is listed below:

- 301 W F St. Erwin, NC 28339.

The applicant has requested to demolish the existing home and replace it with a two-family home, which is more commonly known as a duplex.

A copy of this case is available for review at the Erwin Town Hall. Questions concerning this case can be addressed to the Town Planner Dylan Eure at 910-591-4201 or by email at deure@erwin-nc.org.

Regards,



Dylan Eure
Town Planner

NOTICE OF PUBLIC HEARING

The Town of Erwin Board of Commissioners will conduct a Public Hearing on the following items pursuant to NC General Statute 160D-406, on Thursday, February 5, 2026, at 7:00 P.M. in the Erwin Municipal Building Board Room located at 100 West F Street, Erwin, NC 28339. Questions can be addressed to the Town Planner Dylan Eure at 910-591-4201 or by email at deure@erwin-nc.org.

- Case ZT-2025-011: Request to rezone two adjacent parcels:
 - 45 Red Hill Church Road (Harnett County Tax PIN # 1507-14-3913.000)- Rezoned from B-2, M-1, and R-10 to entirely R-10.
 - Harnett County Tax PIN # 1507-15-4111.000- Rezoned from M-1 and R-10 to entirely R-10
- Case SUP-2025-004: Special Use Permit Application to replace the existing structure with a duplex located at 301 West F Street. The property can also be identified by its Harnett County Tax PIN # 0597-53-4539.000.

These cases are available for review at the Erwin Town Hall. All persons desiring to be heard either for or against the proposed items set forth above are requested to be present at the above-mentioned time and place.

1/16,23/2026

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: February 5, 2026

Subject: Proposed Contract with Liberty Waste Solutions

The proposed contract for our Solid Waste collection services is included in this agenda. The proposed contract is for a five-year term, and it has an option to renew after five-years if both parties wish to just renew. The Town does not have to renew the contract at the end of the term, but we have the option if we choose to do so. If the Town or Liberty Waste Solutions does not wish to renew the contract for an additional five-year term, proper notice must be provided by the party that does not wish to renew the contract for another term.

There is language in the proposed contract involving the service fee that Liberty Wase Solutions can charge in bullet point 6. The fee can be adjusted annually based on the Consumer Price Index for All Urban Consumers Water and Sewer Trash Collection Services. There is language in item 6(a) that discusses any potential fuel surcharges if there is a major fuel increase that can be identified in Exhibit B.

The proposed contract is just for residential solid waste collection. The Town of Erwin does not provide waste collection for commercial businesses (this includes churches and other non-profits). The contractor will provide a 96-gallon roll out cart for each structure that qualifies for this service in our Town Limits. There are a few apartments that utilize dumpsters for trash collection and not residential roll-out carts.

As a reminder, the proposed contract does not include any collection services for residential recycling. The recycling market has changed a lot over the last few years. The transfer stations for recyclables have gotten a lot stricter, and they do not tolerate loads that have materials that are not recyclable. Unfortunately, we have a rather high contamination rate in our recyclables. Town Staff is going to prepare a notification to share with our residents about discontinuing this service. Currently, every residential customer in our Town Limits must pay for a trash and recycling cart. If a resident wishes to get a second cart for trash collection, they will have to pay an additional fee (like our current model).

SOLID WASTE COLLECTION, TRANSPORTATION AND DISPOSAL AGREEMENT

This SOLID WASTE COLLECTION, TRANSPORTATION AND DISPOSAL AGREEMENT (this "Agreement") is made and entered into this ____ day of, February 2026 by and between the Town of Erwin, North Carolina, hereinafter referred to as "CUSTOMER", and Wall Recycling, LLC d/b/a Liberty Waste Solutions hereinafter referred to as "CONTRACTOR".

WITNESSETH

WHEREAS, CUSTOMER is responsible for the collection and disposal of solid waste materials of its residents; and

"WHEREAS, CUSTOMER desires to engage CONTRACTOR to collect all residential solid waste materials from within its boundaries in accordance with the terms of this Agreement and applicable law, including, without limitation, the ordinances of the Town of Erwin, County of Harnett and the State of North Carolina.

NOW, THEREFORE, in consideration of the foregoing, the mutual covenants and agreements set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

Term: This Agreement shall be binding on all parties for a period of five years beginning July 1, 2026 and ending June 30, 2031 with one (1) five-year renewal option pending agreement of both parties. Should either the Town or Contractor elect not to renew and extend the contract for an additional five (5) year period, notice must be given, by certified mail (return receipt requested) to the other party in writing not less than ninety (90) days prior to the expiration of the Contract.

1. Services. CUSTOMER hereby grants to CONTRACTOR the exclusive right for the collection and transportation of all residential solid waste materials in the Town of Erwin from the point of pickup to the Harnett County Transfer Station as directed by Customer, which disposal site has been permitted in accordance with applicable laws, rules and regulations for disposal of solid waste (the "Services").
 - a. Residential Curbside Trash Collection - Subject to Section 3 below, each home is provided by CONTRACTOR with a 96 Gallon cart to be serviced on a once per week basis. Carts must be placed at the curb no later than 7:00 a.m. on the scheduled day of collection. Carts must be placed in a manner suitable to be emptied by the automatic dumping arm of the refuse vehicle.

- b. CONTRACTOR will provide special collections to elderly, injured, ill, or handicapped residents receiving SOLID WASTE Curbside Collection that are incapable of placing containers curbside. Such residents shall be identified and approved by CUSTOMER and qualifications for such special collection shall be determined by a written doctor's note or approval from TOWN MANAGER. CUSTOMER shall maintain and provide the CONTRACTOR with a list of these addresses for this special service. Such collection will be from a front or side door that is visible to the street. CONTRACTOR shall not charge any additional cost for this service but may request CUSTOMER to re-evaluate any address where evidence of abuse may exist.

Types of Waste: Title to Waste.

- A. Notwithstanding anything to the contrary herein, CONTRACTOR shall only be responsible for the collection, transportation and disposal of Acceptable Solid Waste, and only such Acceptable Solid Waste as is disposed of in a 96-gallon cart, CONTRACTOR provided, residential roll-out cart (Cart contents only).
- B. For purposes of this Agreement, "Acceptable Solid Waste" means mixed household solid waste and mixtures of household, commercial and industrial solid waste that are permitted under the governing permits and then applicable laws to be accepted at the applicable disposal facilities and that are not otherwise Unacceptable Waste.
- C. For purposes of this Agreement, "Unacceptable Solid Waste" means:
 - a. any material which by reason of its composition characteristics or quantity is hazardous waste as defined in the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901 et seq., and the regulations thereunder or any material which by reason of its composition or characteristics is hazardous waste, a hazardous substance or hazardous material as defined in or under any other federal, state or local law, and the applicable regulations thereunder, and any other material which any governmental agency or unit having or claiming appropriate jurisdiction shall determine from time to time to be harmful, toxic or dangerous, or otherwise ineligible for disposal at the applicable disposal facility; explosive materials, corrosive materials, pathological waste, radioactive materials, cesspool and other human waste, human remains, motor vehicles, batteries, tires, refrigerators, gasoline tanks, gas cylinders, asbestos insulation, closed metal containers, barrels, more than an incidental amount of tires, refrigerators that have not been properly evacuated, liquid waste including chemical wastes, sewage and other highly diluted water-carried materials or substances and those in gaseous forms, special nuclear or by-product materials within the meaning of the Atomic Energy Act of 1954, as amended; and
 - b. any other material which may present a substantial endangerment to public health or safety, would cause applicable air quality or water effluent standards to be violated by the normal operation of the Transfer Station or because of its size, durability or composition cannot be managed or disposed of at the applicable disposal facility or has a reasonable possibility of otherwise adversely affecting

the operation of the applicable disposal facility outside the normal usage expected for the facility.

- D. Title to waste material that does not conform to the definition of Acceptable Solid Waste shall remain with the generator and shall not be deemed to pass to CONTRACTOR at any time.
2. Equipment: All equipment utilized is to be reliable and presentable during the performance of this Agreement, including backup equipment. All equipment shall be maintained by CONTRACTOR in a safe condition throughout the Term.
 3. Schedule. CONTRACTOR shall operate on a schedule to ensure timely service. Services will not be provided on New Year's Day, Christmas Day, Thanksgiving Day, Labor Day, Independence Day, Memorial Day or any day that the Harnett County Transfer Station is closed. In the event that CUSTOMER service days fall on a designated holiday, then an alternate day will be chosen to ensure timely service.
 4. Newly Developed and Annexed Areas: CONTRACTOR will, within thirty (30) days of notification by the CUSTOMER, provide the Services to newly developed and annexed areas. As new homes are constructed and occupied, CONTRACTOR shall provide Services on the next scheduled day of collection following notification thereof. CONTRACTOR shall be responsible for notifying CUSTOMER of all collection locations being serviced which do not appear on the billing register. Billing will be adjusted by CONTRACTOR as promptly as practicable following the addition of new or annexed homes including, to the extent necessary, adding any prior months' billings for such new or annexed homes that have been serviced but not previously billed and including pro-rations for partial months, as appropriate.
 5. Rates: Number of Units: Total compensation due to CONTRACTOR shall be set forth in Exhibit A incorporated by reference and made a part hereof on a per unit basis, subject to adjustment as set forth below (the "Service Fee"). Payment is due by the 10th day of the following month in which the invoice is submitted. The number of units for which CONTRACTOR will provide Services is estimated as of the date of this Agreement to be approximately _____ residential carts, provided, however, that CUSTOMER will provide evidence to CONTRACTOR of the actual number of units, including addresses and number of carts per address, to be serviced within thirty (30) days following the date of this Agreement by use of water meter or other utility records. Thereafter, the number of units to be serviced and billed will be reviewed and adjusted on a monthly basis to reflect the actual number of units serviced. CUSTOMER is responsible for billing its residents for services.
 6. Adjustments: The Service Fee will be increased annually every July 1st beginning on July 1, 2027 to reflect the annual adjustment (from the 12 month time frame of March 2026 to February 2027 and each subsequent year with the same timeframe. This allows for the increase to be known and implemented in time for annual July 1st adjustments) based on Table 1 of the Consumer Price Index for All Urban Consumers (CPI-U): U.S. Town Average, by expenditure category and commodity and service group, Water and Sewer and Trash Collection Services (2) Garbage and Trash Collection

- a. In addition, changes in the Service Fee may be negotiated if such adjustments arise out of changes in direct operational costs related to provision of the Services over which CONTRACTOR has no control, including by way of example, but not limitations, such expense as landfill, or material processing, fees and governmental regulations (see table in Exhibit B, should diesel fuel rise above \$4.50/gallon for 2+ consecutive months. If prices rise above and decline, fuel surcharge will be removed) Documentation will be provided and adjustments in Service Fees will not be unreasonably refused.
7. Representations of CONTRACTOR: CONTRACTOR currently has, and will maintain throughout the term, all permits and licenses required by law for the provision of the Services, and will provide the Services in accordance in all material respects with applicable laws. CONTRACTOR will comply with all Federal and State requirements concerning fair employment and concerning the treatment of all employees without regard or discrimination by reason of race, color, religion, sex, national origin or physical disability.
8. Point of Contact: All dealings, contacts, etc. between CONTRACTOR and CUSTOMER shall be directed by CONTRACTOR to the Town Manager or his designee. CUSTOMER will direct all interaction related to this Agreement to the General Manager or his designee.
9. Local Presence: CONTRACTOR will provide a local and/or toll-free telephone number to its office for the use of CUSTOMER to communicate with CONTRACTOR if the need arises during normal business hours of 8:00 a.m. to 5:00 p.m.
10. Notification of Customer and/or Residents: CONTRACTOR will notify CUSTOMER about service inquiry procedures, regulations and days of collection prior to the date Services begin under this Agreement. In addition, as and when requested by CUSTOMER, CONTRACTOR will notify the residents with respect to any changes in service day or other similar information. CUSTOMER will ensure that any resident phone numbers provided by CUSTOMER to CONTRACTOR will have been provided in compliance with the Telephone Consumer Protection Act with the consent of the resident to receiving phone calls related to the Services and will indemnify and hold CONTRACTOR harmless with respect thereto.
11. Breach: Termination: If either party reasonably concludes that the other is in material breach of this Agreement, such party shall so notify the other party in writing, including a detailed description thereof. The party alleged to be in breach shall be allowed up to thirty (30) days after notice by the other party in which to make necessary adjustments to remedy said deficiencies or to take action to remedy any deficiencies that require longer than thirty (30) days to cure. In the event the breaching party fails to correct (or take action to correct) such deficiencies within thirty (30) days after written notice of the deficiencies or breach, then the other party may terminate this Agreement. Neither party shall be liable to the other for any special, consequential or punitive damages.
12. Indemnification: CONTRACTOR agrees to indemnify and hold CUSTOMER harmless from and against any and all claims, liabilities, demands and causes of action arising out of CONTRACTOR'S negligence in performance of the Services or arising out of CONTRACTOR'S failure to comply with the provisions of this Agreement. Notwithstanding the foregoing, under no circumstances will CONTRACTOR be required to indemnify CUSTOMER with respect to any claims, liabilities, demands or causes of

action arising in whole or in part out of the CUSTOMER'S negligence, willful misconduct or failure to comply with the provisions of this Agreement.

13. Force Majeure: CONTRACTOR shall not be liable for failure to perform under this Agreement if that failure arises out of causes beyond the control and without the fault or negligence of CONTRACTOR. Such causes may include but not be limited to acts of the government in its sovereign or contracted capacity, fires, floods, strikes, epidemics, quarantine restriction, freight embargoes, and unusually severe weather; but in every case the failure to perform must be beyond the reasonable control and without fault or negligence of CONTRACTOR.
14. Assignment: Neither party may assign this Agreement, or the rights hereunder, without prior written approval of the other, which approval will not be unreasonably withheld; provided, however, that CONTRACTOR may assign this Agreement to an affiliate of CONTRACTOR without the prior approval of CUSTOMER.
15. Insurance: CONTRACTOR shall be required to carry general liability insurance, workers compensation insurance and motor vehicle insurance as required by State laws as outlined below:
 - a. Workmen's Compensation Statutory: \$1,000,000 aggregate
 - b. Employer's Liability \$1,000,000 each occurrence
 - c. Bodily Injury Liability \$2,000,000 each occurrence
 - d. Except Automobile \$2,000,000 aggregate
 - e. Property Damage Liability \$2,000,000 each occurrence Except Automobile \$2,000,000 aggregate
 - f. Automobile Bodily Injury \$500,000 each person
 - g. Property Damage Liability \$2,000,000 each occurrence
 - h. \$2,500,000 aggregate Excess Umbrella Liability \$3,000,000 each occurrence
 - i. The above coverage may be provided by the Contractor's parent corporation.
16. Arbitration. Any controversy or claim arising out of or related to this Agreement or any transactions contemplated herein that cannot be amicably resolved, will be resolved by binding arbitration held in Lillington, North Carolina, or any other location mutually agreeable to the parties, in accordance with the commercial arbitration rules of the American Arbitration Association. The decree or judgment of any award rendered by the arbitrator may be entered in any court having jurisdiction thereof.
17. Notice. All notices and other communications hereunder will be in writing and may be given by personal delivery, nationally recognized express courier, registered or certified mail (return receipt requested), or facsimile (receipt confirmed). Such notice will be deemed effective when received if it is given by personal delivery, nationally recognized express courier, or facsimile, and will be effective three (3) days after mailing by registered or certified mail, so long as it is actually received within five (5) days (and, if not so received within five (5) days, is effective when actually received) by the parties at the following addresses (or at such other address for a party as will be specified by like notice):
 - a. IF to CONTRACTOR: Liberty Waste Solutions- ATTN: General Manager, 2126 Garner Road Raleigh, NC 27610
 - b. IF to CUSTOMER: Town of Erwin, ATTN: Snow Bowden, Town Manager PO Box 459 Erwin, NC 28339

18. Entire Agreement. This Agreement constitutes the entire understanding between the parties, and cancels and supersedes all prior negotiations, understandings and agreements, oral or written, relating to the provision of the services described herein.
19. Execution in Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

[Signature page follows.]

DRAFT

IN WITNESS WHEREOF, the Town of Erwin and Liberty Waste Solutions, have executed this Solid Waste Collection, Transportation and Disposal Agreement as of the date first set forth above.

The Town of Erwin, North Carolina

Liberty Waste Solutions

BY: _____

BY: _____

NAME: _____

NAME: _____

TITLE: _____

TITLE: _____

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Town Finance Officer

Exhibit A

Residential Curbside Trash-The charge for once per week residential curbside trash collection to CUSTOMER from CONTRACTOR shall be:

\$ 7.92 per month per cart for Trash

CONTRACTOR will provide one 96-gallon cart for Municipal Solid Waste (MSW) to each address using the Services. CUSTOMER may request additional carts for residents. Additional carts will be billed by the number of carts requested multiplied by the monthly rate.

Trash Service Fee does not include disposal charges. All MSW will be delivered to Harnett County Transfer Station where no fees are charged to Harnett County Residential service customers. If at any time Harnett County changes this policy and begins to charge disposal fees, these fees will be added as a direct pass through to CUSTOMER. Any charges or fees incurred by CONTRACTOR related to disposal and/or handling of waste shall be the responsibility of CUSTOMER and reimbursed subject to section 5 above.

There will be no fuel surcharges or environmental fees charged during the tenure of this agreement without review and approval of both parties, referring to 6.a. above.

Exhibit B

DOE/EIA Diesel Price (PADD 1C) Increase Over \$4.50 Surcharge %

\$4.50 or below	—	0.0%
\$4.60	\$0.10	0.6%
\$4.70	\$0.20	1.1%
\$4.80	\$0.30	1.7%
\$4.90	\$0.40	2.2%
\$5.00	\$0.50	2.8%
\$5.10	\$0.60	3.4%
\$5.20	\$0.70	3.9%
\$5.30	\$0.80	4.5%
\$5.40	\$0.90	5.0%
\$5.50	\$1.00	5.6%
\$5.60	\$1.10	6.2%
\$5.70	\$1.20	6.7%
\$5.80	\$1.30	7.3%