Authentisign ID: F06E9870-7DC9-F111-BF5B-000D3A4FF82A

# PREFERRED PROPERTIES

## SUPPLEMENTAL PROVISIONS ADDENDUM

Revised May 2022

**Regarding:** 364 Lynn Cove Rd, Asheville, NC 28804
**(Property Address, City, State and Zip Code)**

1. **AIRPORT AND AIRCRAFT:** Buyer(s) acknowledges awareness of, and possible noise associated with, regional airports in Western North Carolina. Many types of aircraft operate from these regional airports with varying traffic patterns depending on the wind and the weather conditions. The three main regional airports are: 1) the Asheville Regional Airport which is located near Interstate 26 at mile marker 40; 2) the Hendersonville Airport which is located at 1232 Shepherd Street, Hendersonville; and 3) the Transylvania County Airport which is located on Old Hendersonville Road, Penrose. The Buyer(s) may desire to contact these airports to inquire into flight patterns and any other concerns the Buyer(s) may have. The Buyer(s) may contact these area airports at: 1) Asheville Regional Airport, P.O. Box 817, Fletcher, NC 28732 (828-684-2226); 2) Hendersonville Airport, 1232 Shepherd Street, Hendersonville, NC 28792 (828-693-1897); 3) Transylvania County Airport, P.O. Box 1390, Etowah, NC 28729 (828-877-5801). Other small airports or landing strips are located throughout Western North Carolina and Buyer(s) is advised to seek out those which they feel may adversely affect Property being purchased. Mission Hospital (located at 428 and 509, Biltmore Avenue, Asheville) is served by helicopter ambulances. Buyers may wish to contact the Hospital at 828-213-1111 to ask about flight patterns and other concerns that may affect locations close to the hospital. Such investigation shall be completed prior to Due Diligence Date in l(j) of the attached Offer to Purchase and Contract. **CLOSING SHALL CONSTITUTE ACCEPTANCE OF THIS PROVISION, AND ALL OTHER CONDITIONS OF THE PROPERTY, BY THE BUYERS.**

2. **TRAINS:** Railroad tracks and train traffic: Buyer(s) acknowledges awareness of, and possible noise associated with trains traveling through Western North Carolina. If the property being purchased is near railroad tracks, Buyer(s) is advised to seek out prior to closing, any information regarding the use of the tracks which may adversely affect the Property being purchased.

3. **INTERSTATES AND ROADWAYS:** Buyer(s) acknowledges awareness of and possible noise associated with road traffic. Buyer(s) is advised to seek out prior to closing, information from the NCDOT http://www.ncdot.gov/projects or other governmental bodies controlling traffic, traffic patterns, or pending road projects that might adversely affect the Property being purchased. **This should take place before 5:00 pm of Due Diligence date.**



**Buyer Initials** _____ _____ **Sellers Initials** FMW ___ TKG ___

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4. **LAND USE ORDINANCES:** Buyer(s) acknowledges awareness of local, incorporated municipalities, county, state and governmental laws, ordinances and regulations as well as Owner's Association bylaws and covenants that may affect the Buyer's intended use or development of the Property being purchased. The Buyer's agent may assist in providing resources for obtaining relevant information regarding such; however the Buyer(s) solely accepts responsibility for investigation and verification of any and all issues related to compliance with any local, incorporated municipalities, county, state or federal governmental law, ordinances or regulations relative to environmental, zoning, subdivision, occupancy use, construction or development of the subject property which may affect Buyer's intended use or development of the subject property. Such investigation shall be completed prior to Due Diligence Date in l(j) of the attached Offer to Purchase and Contract. **CLOSING SHALL CONSTITUTE ACCEPTANCE OF THIS PROVISION, AND ALL OTHER CONDITIONS OF THE PROPERTY, BY THE BUYER(S).**

5. **FUTURE DEVELOPMENT:** Buyer(s) acknowledges awareness of the possibility of construction and possible effects associated with future development, including both new construction and renovation activity. Such development may result in increased pedestrian and vehicular traffic, noise, dust, dangers, annoyances, impacts on view corridors, and similar effects, both expected and unexpected, may disturb or disrupt Buyer(s) use and enjoyment of the property. Buyer(s) is encouraged to contact the City of Asheville Planning and Development Department and/or the Buncombe County Planning and Development Department and/or appropriate Municipal or county agency where home/property is located to inquire into any proposed development that might affect Buyer's interest in the Property. **CLOSING SHALL CONSTITUTE ACCEPTANCE OF THIS PROVISION, AND ALL OTHER CONDITIONS OF THE PROPERTY, BY THE BUYER(S).**

6. **ENVIRONMENTAL SITES:** The property may be near environmental contamination or concerns subject to investigation, administrative action, and remedial measures taken by the Environmental Protection Agency ("EPA") and the North Carolina Department of Environmental Protection ("NCDENR").
**IT IS THE BUYER'S SOLE RESPONSIBILITY TO INVESTIGATE TO THEIR SATISFACTION ANY AND ALL CONCERNS THEY MAY HAVE REGARDING THIS ISSUE. PREFERRED PROPERTIES OF ASHEVILLE, ITS AGENTS AND EMPLOYEES, MAKE NO REPRESENTATIONS AS TO THE CHARACTERISTICS AND CONDITION OF THE PROPERTY, ANY IMPROVEMENTS TO THE PROPERTY, OR WITH RESPECT TO THE ONGOING INVESTIGATION AND ACTIONS BY THE EPA, NCDENR, OR ANY OTHER GOVERNMENT AGENCY.**
**Possible sources of information concerning registered environmental sites are the following:**
   a. EPA Superfund Sites in North Carolina: https://www.epa.gov/superfund
   b. EPA Toxics Release Inventory (TRI) Program: https://www.epa.gov/toxics-release-inventory-tri-program
   c. NCDENR Brownfields Program Project Inventory: https://deq.nc.gov/about/divisions/waste-management



**Buyer Initials** _____ _____ **Sellers Initials** FMW TKG

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7. **Megan's Law:** Buyer should exercise whatever due diligence Buyer deems necessary with respect to information on any sexual offenders registered under Chapter 14 of the North Carolina General Statutes (NCGS 14-208.5 et seq.) Such information may be obtained by contacting the local Sherriff's Department or on the internet at http://sexoffender.ncsbi.gov/disclaimer.aspx

8. **Steep Slope:** Buyer acknowledges that local municipalities regulate the building and subdivision of steep slopes in Western North Carolina. Regulations include limits to grading, disturbances, requirements for geo-technical engineering reports, amount of impervious surface that can be created, density limits, and subdivision restrictions. Buyer is advised to check with the planning department of the governmental jurisdiction in which the property is located to see if the property is restricted by steep slope regulations.

**OTHER CONDITIONS AND PROVISIONS:**

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**ITEMS INCLUDED ON THIS DOCUMENT ARE NOT ALL-INCLUSIVE; OTHER FACTORS MAY EXIST THAT WOULD AFFECT THE VALUE OF THE PROPERTY OR THE BUYER(S) SATISFACTION WITH THE PROPERTY. IN THE EVENT OF ANY CONFLICT BETWEEN THIS ADDENDUM AND THE OFFER TO PURCHASE AND CONTRACT, THE TERMS OF THIS ADDENDUM SHALL CONTROL.**

**Buyer:** _____ **(SEAL)**
**Date:** _____

**Buyer:** _____ **(SEAL)**
**Date:** _____

**Seller:** Authentisign Frederick Marshall Whitmeyer, Jr. **(SEAL)**
**Date:** _____ **Frederick Marshall Whitmeyer, Jr. Revocable Trust**

**Seller:** Authentisign Tamara Kelly Goodman **(SEAL)**
**Date:** _____ **Tamara Kelly Goodman**



**Buyer Initials** _____ _____ **Sellers Initials** FMW TKG