NCDENR
North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

Michael Ellison, Director
Ecosystem Enhancement Program

John E. Skvarla, III
Secretary

July 18, 2014

Ryan Hutchinson, Executive VP for Operations
Southeastern Baptist Theological Seminary
PO Box 1889
Wake Forest, NC 27588-1889

RE: Vegetation Maintenance Agreement for Golf Course Purposes
Southeastern Baptist Theological Seminary property (SEBTS)
Wake Forest, Wake County, NC

Mr. Hutchinson:

Thank you for meeting with North Carolina Ecosystem Enhancement Program ("EEP") to discuss the Richland Creek stream restoration project. EEP entered into an agreement with SEBTS in August of 2007 regarding construction of the stream restoration project, costs associated with the project and the development of a vegetative management plan. The Paschal Golf Course (PGC) has contacted EEP about maintaining vegetation in certain areas of the easement to facilitate health of the greens, safe access to irrigation lines, obstruction of playover areas and general aesthetics. These conversations made it apparent that a formal vegetative maintenance plan was needed as discussed in the notarized letter from August 2007.

This letter is to formalize the agreement between Southeastern Baptist Theological Seminary ("SEBTS"), and EEP regarding the vegetative maintenance plan to be implemented on Richland Creek at SEBTS property occupied by PGC. This agreement is a result of the joint meeting on July 8, 2014, attended by Ryan Hutchinson and Travis Williams of the SEBTS; Heather Smith and Lindsay Fairchilds of EEP and Bobby Crocker of PCG. At that meeting, it was agreed that:

1. Irrigation Box Access: There are two irrigation box controls inside the State conservation easement. PGC is allowed to mow an area 3' wide, perpendicular to the easement, to the irrigation control box. Maintenance is restricted to mowing only (no herbicide treatment) to a height of no less than 1", to facilitate the safety of the PGC staff to access the boxes on a regular basis. See attached map with areas labeled "Irrigation Box Maintenance"

2. Manicured Areas: There are two areas within the State's conservation easement that are used as part of the active play on the golf course. These areas are allowed to be maintained as a manicured area conducive to use within a golf course. The areas don't have height restrictions on the cutting of vegetation; however the areas must remain vegetated. See attached map with areas labeled "Manicured Areas"

3. Rough Maintenance 12-24": There are two areas within the State's conservation easement that are allowed to be maintained to a vegetation height of 12-24". The established trees within these areas are not to be cut, pruned or otherwise removed within the easement. The intent of area 1 is for the herbaceous layers behind the green to be maintained to a maximum width of 5' extending perpendicular from the easement toward the stream, with an allowable height of 12-24" to allow for air flow and decrease vegetation overhang onto the green. The intent for area 2 is to allow clearance for the golfers immediately in front of the tee box and allowed to maintain a vegetative height of 12-24" . See attached map with areas labeled "Rough Maintenance 12-24".

4. Playover: There are two areas with the State's conservation easement that are allowed to be maintained to a height of 3'. The 3' height is to be measured from the elevation of the outer edge of the conservation easement. This allows trees down along the stream side and floodplain to attain heights greater than 3'. This area runs perpendicular to the easement as identified on the map. See attached map with areas labeled "Playover" and "Illustration of Playover Vegetation Maintenance".

5. Shrub Planting: PGC/SEBTS may plant native shrubs within the easement area. The shrub species must be pre-approved by either EEP or the steward of the project prior to planting. See attached map with areas labeled "Shrub Planting".

SEBTS has the right to petition EEP or the conservation easement steward to amend this Vegetation Maintenance Agreement. However, once the project has been accepted by the regulatory agencies, U.S. Army Corps of Engineers and the North Carolina Division of Water Resources, changes to this agreement may have financial implications if mitigation credits are negatively affected due to vegetation maintenance.

By my signature, I am in agreement with the items stipulated in this letter.

EVP

Ryan R. Hutchinson, Executive VP for Operations
Southeastern Baptist Theological Seminary

7/18/14
Date

Tim Baumgartner, Deputy Director,
North Carolina Ecosystem Enhancement Program

7/23/14
Date

Attachment A
Vegetation Maintenance Agreement and Map

By my signature, I am in agreement with the items stipulated in the attached letter, dated 18 July 2014, regarding the Right of Access and Use of Southeastern Baptist Theological Seminary Property.

EVP

Ryan R. Hutchinson
~~Senior Vice President for Business Administration~~
Southeastern Baptist Theological Seminary
EXECUTIVE VP FOR OPERATIONS RRH

7/18/14
Date

NORTH CAROLINA
COUNTY OF WAKE

I, George H. Harvey, a Notary Public for Wake County, North Carolina, do hereby certify that Ryan R. Hutinson personally appeared before me this day and acknowledged the execution of the attached instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and Notary Seal this the 18th day of July, 2014.

Notary Public

GEORGE H. HARVEY
NOTARY
***
PUBLIC
WAKE COUNTY, N.C.

My commission expires:

January 4, 2019

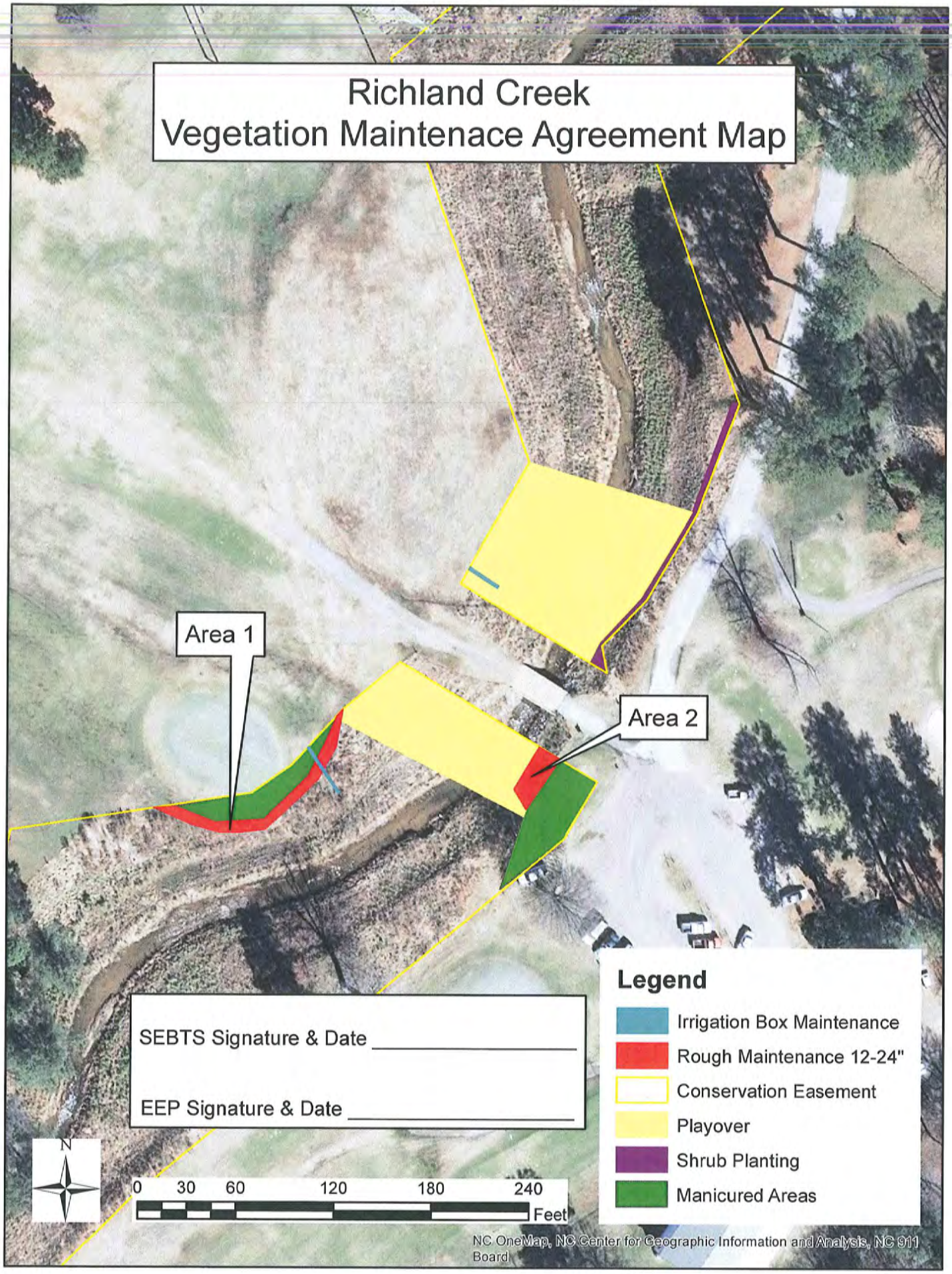
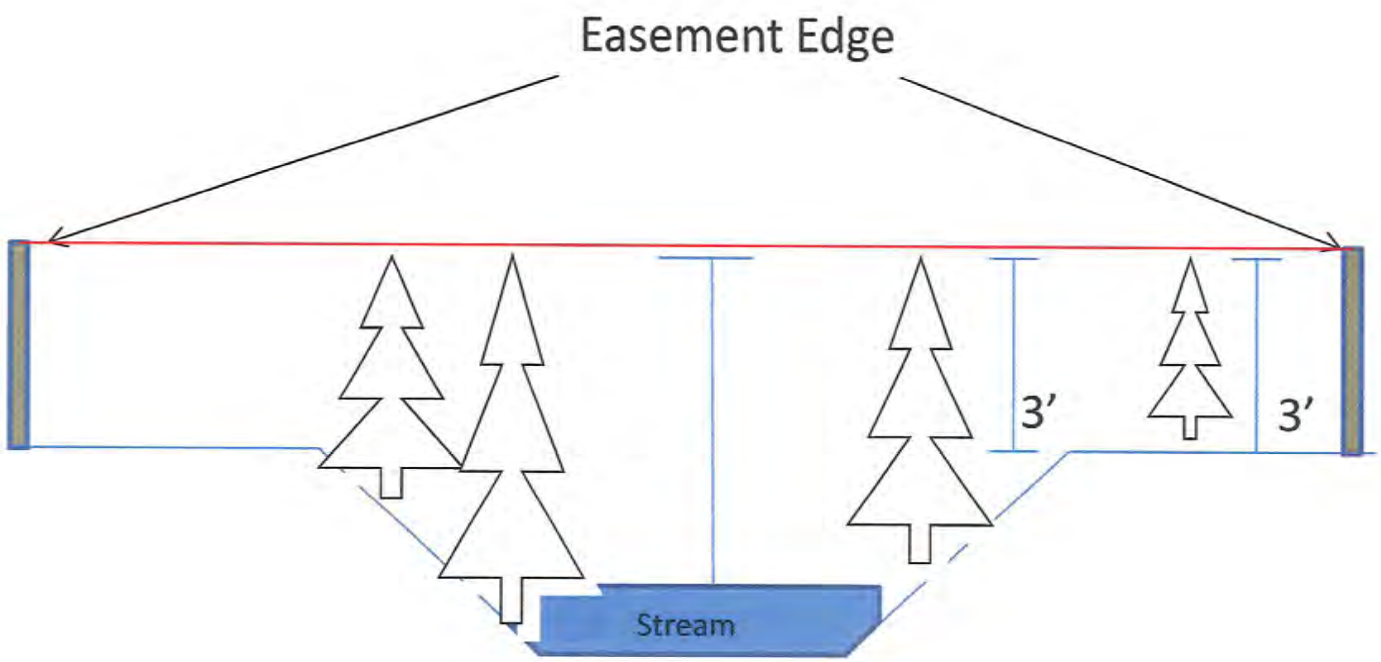

Richland Creek
Vegetation Maintenace Agreement Map
Area 1
Area 2
SEBTS Signature & Date
EEP Signature & Date
Legend
Irrigation Box Maintenance
Rough Maintenance 12-24"
Conservation Easement
Playover
Shrub Planting
Manicured Areas
N
0 30 60 120 180 240
Feet
NC OneMap, NC Center for Geographic Information and Analysis, NC 911 Board

Illustration of Playover Vegetation Maintenance



Vegetation can be cut to a height of 3' as measured from the easement edge elevation. Vegetation heights within the floodplain will vary depending on the floodplain and bank slope elevations, but shall not be cut lower than the adjacent vegetation when measured at the easement edge.