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Petition #: 2000-156

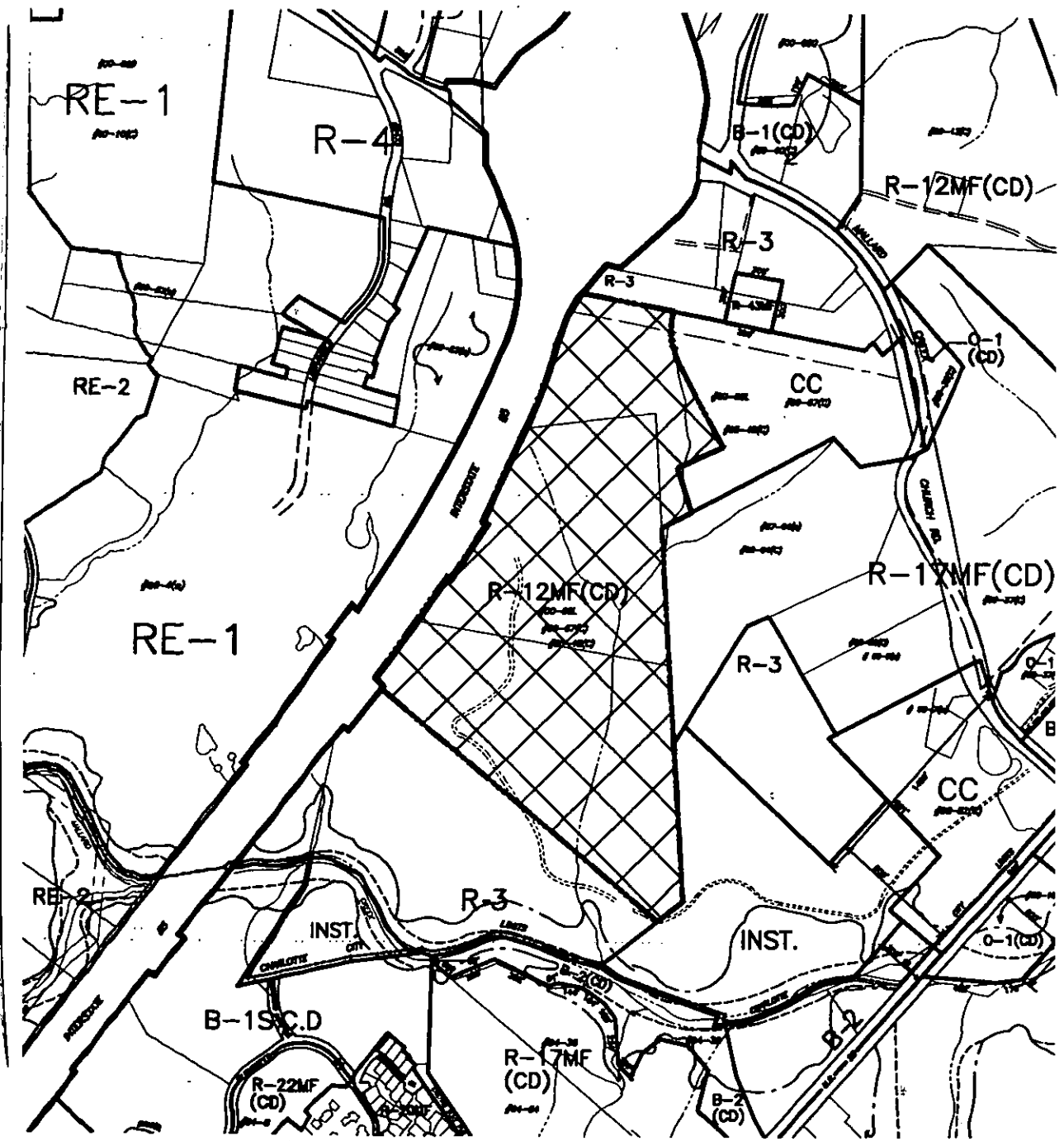
Petitioner: Mallard Creek Land Company, LLC

Hearing Date: December 18, 2000

Classification (Existing): R-12MF(CD)

Zoning Classification (Requested): R-12MF(CD) S.P.A.

Location: Approximately 94 acres located on the east side of Interstate 85, south of Mallard Creek Church Road.



Zoning Map #(s): 53, 54, 57 & 58

Scale: No Scale

SITE AMENDMENT PETITION - PARCEL DESCRIPTION

Tracts I and II

Lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and more particularly described as follows:

COMMENCING at an existing iron pin (R/W Rebar) located on the southwesterly right of way margin of Mallard Creek Church Road (SR #2472) (Public Right of Way Varies), which iron pin also marks the southeasterly corner of property owned by Frank Russell Trust Co. Successor Trustee for The Jones Group Thrift & Profit Sharing Plan as described in Deed Book 6892 at Page 587, Mecklenburg Public Registry and the northeasterlymost corner of property owned by Mallard Creek Properties of Charlotte, LLC as described in Deed Book 9202 at Page 103, aforesaid Public Registry; thence with the aforesaid Mallard Creek Properties of Charlotte, LLC property line five (5) calls and distances as follows: (1) S 86°39'00"W 262.01 feet to an existing iron pin (#5 rebar); (2) N 57°17'09"W 222.24 feet to an existing iron pin (3/4" rebar); (3) S 62°50'04" W 918.75 feet to a point, which point also marks the Point and Place of BEGINNING; (4) S 62°50'04" W 188.81 feet to an existing iron pin (1/2" pipe); and (5) S 04°21'42" E 860.98 feet to a stone; thence with a portion of the Mallard Creek Properties of Charlotte, LLC property line and the property line of Margery Alexander Thompson & Husband J.C. Thompson as described in Deed Book 1852 at Page 316, aforesaid Public Registry, S 03°09'52" E 1397.83 feet to an existing iron pin (3" crimped pipe); thence continuing with the aforesaid property line of Margery Alexander Thompson & Husband J.C. Thompson S 49°57'28"W 188.26 feet to a set iron pin; thence with the northerly property line of Susan Burr Alexander Boone Heirs as described in Deed Book 3372 at Page 569 N 50°50'58" W 2258.19 feet to a set iron pin located on the easterly right of way margin of I-85 (Public Right of Way varies); thence with the aforesaid right of way margin of I-85 fourteen (14) calls and distances as follows: (1) N 37°52'05" E 51.78 feet to a point; (2) N 52°52'19" W 39.16 feet to a point; (3) N 37°00'13" E 390.05 feet to a point; (4) N 34°13'45" E 322.89 feet to a point; (5) S 55°04'00" E 19.12 feet to a point; (6) N 30°33'17" E 416.50 feet to a point; (7) N 60°48'17" W 19.26 feet to a point; (8) N 26°03'48" E 514.73 feet to a point; (9) S 64°51'07" E 9.17 feet to a point; (10) N 23°13'22" E 76.53 feet to a point; (11) N 21°35'52" E 232.69 feet to a point; (12) N 19°26'14" E 490.83 feet to a right of way rebar; (13) N 32°03'20" E 133.81 feet to a right of way rebar; and (14) N 49°03'15" E 16.70 feet to a set iron pin; Thence with the property line of The Hankey Company, Inc. as described in Deed Book 5452 at Page 306, aforesaid Public Registry S 77°59'07" E 569.26 feet to a point; Thence S 12°01'00" W 18.16 feet to a point; Thence along a curve to the left, having a radius of 450.00 feet and a chord bearing S 08°29'23" E 315.25 feet to a point; Thence S 28°59'39" E 235.28 feet to a point; Thence along a curve to the right, having a radius of 1000.00 feet and a chord bearing S 28°04'49"E 31.91 feet; Thence S 27°09'56" E 269.93 feet to a point; Thence S 18°07'03" W 268.06 feet to a point; Thence S 18°07'03" E 265.30 feet to the Point and Place of BEGINNING; containing 94.124 acres, more or less.

EXHIBIT A

Lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and more particularly described as follows:

BEGINNING at an existing iron pin (R/W Rebar) located on the southwesterly right of way margin of Mallard Creek Church Road (SR #2472) (Public Right of Way Varies), which iron pin also marks the southeasterly corner of property owned by Frank Russell Trust Co. Successor Trustee for The Jones Group Thrift & Profit Sharing Plan as described in Deed Book 6892 at Page 587, Mecklenburg Public Registry and the northeasterlymost corner of property owned by Mallard Creek Properties of Charlotte, LLC as described in Deed Book 9202 at Page 103, aforesaid Public Registry; thence with the aforesaid Mallard Creek Properties of Charlotte, LLC property line four (4) calls and distances as follows: (1) S 86-39-00 W 262.01 feet to an existing iron pin (#5 rebar); (2) N 57-17-09 W 224.24 feet to an existing iron pin (3/4" rebar); (3) S 62-50-04 W 1107.56 feet to an existing iron pin (1/2" pipe); and (4) S 04-21-42 E 860.98 feet to a stone; thence with a portion of the Mallard Creek Properties of Charlotte, LLC property line and the property line of Margery Alexander Thompson & Husband J. C. Thompson as described in Deed Book 1852 at Page 316, aforesaid Public Registry, S 03-09-52 E 1397.83 feet to an existing iron pin (3" crimped pipe); thence continuing with the aforesaid property line of Margery Alexander Thompson & Husband J. C. Thompson S 49-57-28 W 188.26 feet to a set iron pin; thence with the northerly property line of Susan Burr Alexander Boone Heirs as described in Deed Book 3372 at Page 569 N 50-50-58 W 2258.19 feet to a set iron pin located on the easterly right of way margin of I-85 (Public Right of Way Varies); thence with the aforesaid right of way margin of I-85 fourteen (14) calls and distances as follows: (1) N 37-52-05 E 51.78 feet to a point; (2) N 52-52-19 W 39.16 feet to a point; (3) N 37-00-13 E 390.05 feet to a point; (4) N 34-13-45 E 322.89 feet to a point; (5) S 55-04-00 E 19.12 feet to a point; (6) N 30-33-17 E 416.50 feet to a point; (7) N 60-48-17 W 19.26 feet to a point; (8) N 26-03-48 E 514.73 feet to a point; (9) S 64-51-07 E 9.17 feet to a point; (10) N 23-13-22 E 76.53 feet to a point; (11) N 21-35-52 E 232.69 feet to a point; (12) N 19-26-14 E 490.83 feet to a right of way rebar; (13) N 32-03-20 E 133.81 feet to a right of way rebar; and (14) N 49-03-15 E 16.70 feet to a set iron pin; thence with the property line of The Hankey Company, Inc. as described in Deed Book 5452 at Page 306, aforesaid Public Registry four (4) calls and distances as follows: (1) S 77-59-07 E 1751.50 feet to a set iron pin; (2) N 43-03-42 E 81.14 feet to an existing iron pin (1" pipe); (3) S 30-20-39 E 94.27 feet to an existing iron pin (1" pipe); and (4) N 43-33-12 E 54.78 feet to a set iron pin located on the southwesterly right of way margin of Mallard Creek Church Road; thence with the aforesaid right of way margin three (3) calls and distances as follows: (1) S 13-28-00 E 202.11 feet to a right of way rebar; (2) S 11-58-21 E 399.35 feet to a right of way rebar; and (3) S 22-50-18 W 52.95 feet to the Point and Place of BEGINNING; containing 116.778 acres, all as shown on Boundary Survey for Heritage Communities prepared by Concord Engineering & Surveying, Inc., dated June 21, 1999, reference to which survey is hereby made for a more particular description of the property.