8.0 AC MIN.

Provided Open Space

Unless more stringent standards are established by this Technical Data Sheet or these Development Standards, all development standards established under the Mecklenburg Co uty Zoning Ordinance (the "Ordinance") for the NS zoning district classification shall be followed in connection with development taking place on Tract I of the Site, all development standards established under the Ordinance for the MX-2 Innovative zoning district classification shall be followed in connection with development taking place on Tract II of the Site and all development standards established under the Ordinance for the O-1 zoning district classification shall be followed in connection with development taking place on Tract III of the Site. The configurations, placements and sizes of the buildings outlined on the Schematic Site Plans accompanying this Rezoning Petition are schematic in nature and subject only to the provisions set forth below under Architectural Controls, may be altered or modified during design development and construction document phases within the maximum building envelope lines established on this Technical Data Sheet. Parking and street layouts may

A mailbox or Kinko's type operation Universities, colleges and junior colleges Dwellings, detached, duplex, triplex or quadraplex

Dwellings, multi-family and attached up to 12 units in a building The gross floor area of all billdings constructed within Tract I may not exceed, in the aggregate, 70,000 square feet.

1. That portion of Tract I! designated as the "Historic Landmark Parcel" contains an existing farmhouse that may be devoted to general office uses,

including medical and dental offices, pursuant to Section 11.203 of the Ordinance. Ownership of the existing farmhouse shall be conveyed to the

BUFFERS AND OPEN SPACE 1. All buffer areas required by the Ordinance shall conform to the standards of Section 12.302 of the Ordinance; subject, however, to the provisions of Section 12.304 thereof.

2. As more particularly depicted on the Technical Data Sheet and the Schematic Site Plan for Tract II, the exterior 75 feet of the 100 foot common open space located along the northern boundary line of Tract II will remain an undisturbed buffer, provided, however, that Petitioner may install and locate utility lines within that portion of this 75 foot undisturbed buffer that is situated at the northwestern corner of Tract II and located within the area designated as the "Utility Corridor" on this Technical Data Sheet and the Schematic Site Plan for Tract II. The interior 25 feet of the 100 foot common open space located along the northern boundary line of Tract II may be graded, landscaped and maintained by Petitioner or its successors in interest, and it may be improved only with utility lines and utility facilities and a pedestrian path that is between three and six feet in width.

3. Except as otherwise provided in paragraph 2 above with respect to the 100 foot common open space located along the northern boundary line of Tract II and the 75 foot undisturbed buffer contained therein, Petitioner reserves the right to grade and install pedestrian sidewalks or pathways, walls, berms, fences, and utility lines and facilities within the buffer areas.

4. Petitioner commits to providing connectivity to all Tracts through the use of sidewalks. 5. No buildings, parking spaces or maneuvering areas may be located within buffer areas.

Access Point

Proposed Road

Building Envelope

Internal buffers shall not be required between any single family attached and single family detached dwelling units. 7. A 35-foot building separation shall be provided along the common property line of the attached homes and the Historic Property Site. This 35 foot area is to include a 25-foot landscape strip with plantings similar in nature to a Class C buffer which may be widened in selective areas at Petitioner's option. In addition to this 25-foot landscape strip, a minimum 10-foot yard or setback shall be provided on the Historic Property Site in order to create a 8. Where existing trees and natural vegetation have been cleared within buffer areas to accommodate pedestrian sidewalks or pathways or the

installation of utilities, the cleared, unimproved areas will be landscaped with trees and shrubs in accordance with the requirements of the Ordinance. 9. A minimum of 4.664 acres of common open:space is required on Tract II. However, Petitioner shall set aside a minimum of 8 acres on Tract II as common open space. In calculating the amount of common open space, the buffer areas shall be included in the calculations 10. The proposed improvements to the common open space located on Tract II will consist, at a minimum, of a pedestrian path and a swimming pool 11. That portion of Tract I labeled as "Natural Area" will not be graded by Petitioner and will remain in its natural state, provided, however, that Petitioner reserves the right to supplement this area by planting additional trees, grass and shrubs, and Petitioner reserves the right to remove trees and

other vegetation less than 2 inches in caliper. 12. With the exception of the 100 foot common open space located along the northern boundary line of Tract II, buffers may be reduced or eliminated in the event that an adjacent parcel is either rezoned to a zoning district or devoted to a use which would not require a buffer or would require a lesser buffer under the Ordinance

SETBACKS, SIDE YARDS AND REAR YARDS

3. Any dumpsters located within Tracts I, II or III that are visible from a public street or from an external adjoining property will be screened from view 4. Landscaping shall be installed along the frontage of Rozzelles Ferry Road and Old Rozzelles Ferry Road on Tract II. Such landscaping shall consist of twenty 3-gallon shrubs, three large maturing trees a minimum of ten feet in height at installation and six small maturing trees a minimum of five feet in neight at installation per 100 linear feet. In the alternative and at Petitioner's option, Petitioner may install a board on board fence of five to six feet in height in this area in lieu of landscaping. In the event Petitioner opts for the fencing treatment rather than the landscaping, three large maturing trees per 100 linear feet shall be installed on the exterior side of the fence. s. Landscaping shall be installed along one side of the frontage of the internal public street on Tract II in those locations in which the rear of an attached housing unit adjoins and faces such street. Such landscaping shall consist of ten 3-gallon shrubs, five 5-foot in height evergreen or accent trees and two 10-foot in height large maturing trees per 100 linear feet to be installed in a minimum 15-foot in width landscape strip. The landscape strip may be located either within the public right-of-way associated with the street or on private property or a combination of the two. ARCHITECTURAL CONTROLS 1. All buildings constructed on Tracts I and III will be architecturally compatible in appearance and quality through the use of similar building materials, accent features and colors. 2.No building constructed on Tracts I or III may contain more that three stories (above ground), or be more than 45 feet in height (above ground). 3. The front elevation of any building to be constructed on Tract II may not exceed two stories in height above grade. 4. Those buildings located on Tract I that abut Rozzelles Ferry Road will be designed and constructed so that each building has windows that face Rozzelles Ferry Road, and those buildings located on Tract I that abut Tema Circle will be designed and constructed so that each building has windows 5. A minimum of 80% of the sum total of the exterior surface areas of each building (with doors and windows to be excluded from such calculation) located on Tract I or on Tract III shall consist of brick materials, with no single elevation containing less than 50% brick materials. 6. All buildings located on Tract I that directly abut Rozzelles Fer Road or Tema Circle shall be built to the relevant setback line, however, the number placements, configurations and sizes of such buildings depicted on the Schematic Site Plan for Tract I are conceptual and the same may be altered or modified during design development and construction document phases subject to the requirement that such buildings be built to the relevant setback 7. Through the design and placement of the proposed convenience center on Tract I, Petitioner will endeavor to minimize the visibility of any gas pumps or islands associated with the convenience center proposes for Tract I from Rozzelles Ferry Road. The proposed convenience center building will be architecturally compatible with other buildings located on Fract I, and it will be constructed with an exposed roof with either a standing seam or slate roofing materials. **PARKING** Off street parking spaces will satisfy the minimum standards established under the Ordinance. Parking shall be permitted within all building envelopes established for Tracts I and III. LIGHTING 1. All freestanding lighting fixtures installed within Tracts I and " will be uniform in design. The final spacing of lighting fixtures is to be determined by Petitioner 2. All freestanding lighting fixtures installed within Tract II will be uniform in design. The final spacing of lighting fixtures is to be determined by 3. The maximum height of any freestanding lighting fixture, including its base, installed within Tracts I or III shall not exceed 30 feet, and the maximum height of any freestanding lighting fixture, including its base, installed within Tract II shall not exceed 20 feet. 4. All free standing lighting fixtures installed within Tracts I, II or II, except street lights which may be erected along Rozzelles Ferry Road, Tema Circle and Highway 16, shall be designed such that direct illumination ones not extend past any exterior property line. Consideration will be given to the impact of lighting both within and without the perimeter of the Sie. Items for consideration will include intensity, cutoff angles, color, energy efficiency and shielding of sources of light, the intent being to eliminate glan towards the adjacent roads and properties. 5. Wall pack lighting will not be allowed. 1. All signs placed on the Site will be erected in accordance with the requirements of the Ordinance. 2. Detached signs may not exceed 7 feet in height and the copy are on either side of any such sign located along Rozzelles Ferry Road, Tema Circle and Highway 16 may not exceed 100 square feet, and the copy area oneither side of any sign installed along an internal road may not exceed 50 square feet. 1. The number of vehicular access points to the Site shall be limited to the number depicted on this Technical Data Sheet. 2. The placement and configuration of each access point are subjet to any minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the County Engineering Department and the North Carolina Department of Transportation 3. Petitioner reserves the right to use both public and private strees within the Site, and all private streets shall be maintained by a Property Owners 4.One stub street shall be provided at the southern portion of Tra: If as more particularly depicted on this Technical Data Sheet. 5. TRACT I: Petitioner agrees to install a left turn lane into Tract lwith a minimum of 150 feet of storage and a 15:1 bay taper. If off-site right-of-way is not required to accommodate this left turn lane in its entirety, Petioner will complete the left turn lane in its entirety by the date on which the first certificate of occupancy is issued for Tract I. If off-site right-of-war is required to accommodate this left turn lane in its entirety, Petitioner will make good faith efforts (which shall include the use of an independent ppraiser to assess property values) to secure the necessary off-site right-of-way. In the event Petitioner successfully acquires the necessary off-site right-3-way, Petitioner will cause the left turn lane improvement to be completed in its entirety by the later of: (1) 6 months after the necessary off-site right-of-way is acquired, or (2) the issuance of the first certificate of occupancy for Tract I. In the event Petitioner cannot acquire the necessary off-site right-of-way to accommodate the left turn lane in its entirety, then Petitioner will, on or before the issuance of the first certificate of occupancy for Tract I, onstruct that portion of the left turn lane that is adjacent to Tract I and make a cash payment to Mecklenburg County in an amount equal to the reasonable costs of acquiring the off-site right-of-way and constructing the remaining portion of the left turn lane. Petitioner may obtain plan approvals building permits, and certificates of occupancy for any buildings associated with this rezoning while the process outlined herein is in progress. Petitioier agrees to dedicate the Rozzelles Ferry Road and Tema Circle rights-of-way required along Tract I prior to the issuance of any certificate of occupancy or Tract I. TRACT II: Petitioner agrees to install a left turn lane into Tract II with a minimum of 150 feet of storage and a 15:1 bay taper. If off-site right-of-way is not required to accommodate this left turn lane in its entirety, Petrioner will complete the left turn lane in its entirety by the date on which the 50th certificate of occupancy is issued for Tract II. If off-site right-of-wy is required to accommodate this left turn lane in its entirety, Petitioner will make good faith efforts (which shall include the use of an independent opraiser to assess property values) to secure the necessary off-site right-of-way. In the event Petitioner successfully acquires the necessary off-site right-é-way, Petitioner will cause the left turn lane improvement to be completed in its entirety by the later of: (1) 6 months after the necessary off-site right-of-way is acquired, or (2) the issuance of the 50th certificate of occupancy for Tract II. In the event Petitioner cannot acquire the necessary off-site ng. of-way to accommodate the left turn lane in its entirety, then Petitioner will, on or before the issuance of the 50th certificate of occupancy for Tract II construct that portion of the left turn lane that is adjacent to Tract II and make a cash payment to Mecklenburg County in an amount equal to the reaso.able costs of acquiring the off-site right-of-way and constructing the remaining portion of the left turn lane. Petitioner may obtain plan approvals building permits, and certificates of occupancy for any dwelling units associated with this rezoning while the process outlined herein is in progress. Petroner agrees to dedicate the Rozzelles Ferry Road right-of-way required along Tract I prior to the issuance of any certificate of occupancy for Tract II. WATERSHED REGULATIONS requirements of this overlay district as set forth in the Ordinance. requirements of this overlay district as set forth in the Ordinance. River/Lake Wylie Watershed Overlay District Protected Area pursuant to Section 10.609 of the Ordinance. **GROUNDWATER PROTECTION MEASURES** 1. In the event that a convenience center /gas station is developed on groundwater: double wall storage tanks double wall piping whose business is to monitor and respond to alarms on a tirrely basis. Mecklenburg County Department of Environmental Protection for its review and approval. STORM WATER MANAGEMENT

SCREENING AND LANDSCAPED AREAS

2. All roof mounted mechanical equipment will be screened from view.

1. Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance.

TRACT III: Petitioner agrees to install a left turn lane into Tract II rom Rozzelles Ferry Road with a minimum of 150 feet of storage and a 15:1 bay taper. If off-site right-of-way is not required to accommodate the urn lane in its entirety, Petitioner will complete the left turn lane in its entirety by the date on which the first certificate of occupancy is issued for T. If cit-site right-of-way is required to accommodate this left turn lane in its entirety, Petitioner will make good faith efforts (which shall inclusive of an independent appraiser to assess property values) to secure the necessary off-site right-of-way. In the event Petitioner successful equires the necessary off-site right-of-way, Petitioner will cause the left turn lane improvement to be completed in its entirety by the later of: (1) 6months after the necessary off-site right-of-way is acquired, or (2) the issuance of the first certificate of occupancy for Tract III. In the event Petitioner onnot acquire the necessary off-site right-of-way to accommodate the left turn lane in its entirety, then Petitioner will, on or before the issuance of the first certificate of occupancy for Tract III, construct that portion of the left turn lane that is adjacent to Tract III and make a cash payment to Mecklenburg County in an amount equal to the reasonable costs of acquiring the off-site right-ofway and constructing the remaining portion of the left turn lane. Petitioner may obtain plan approvals, building permits, and certificates of occupancy for any buildings associated with this rezoning while the process utlined herein is in progress. Petitioner agrees to dedicate the Rozzelles Ferry Road and Tema Circle rights-of-way required along Tract III prior to the issuance of any certificate of occupancy for Tract III.

Sidewalks will be installed on the Site as generally depicted on the Schematic Site Plans, provided, however, the sidewalk associated with each building constructed on Tract I, Tract II or Tract III will be not be required to be installed until such time as the relevant building has been completed.

Adequate fire protection in the form of fire hydrants will be provided to the Mecklenburg County Fire Marshal's specifications. Plans for each building to be located on Tract I or Tract III will be submitted to the Fire Mirshal's office for approval before the construction of that building commences. 1. Development occurring on Tracts I, II and III within the Mountain Island Lake Watershed Overlay District Critical Area shall comply with the

2. Development occurring on Tracts I, II and III within the Catawbi River/Lake Wylie Watershed Overlay District Protected Area shall comply with the 3. Petitioner reserves the right to develop under the High Density Option for development taking place on Tracts I, II and III within the Catawba

Tract I, Petitioner shall cause to be installed an underground fuel storage facility that satisfies the following specifications designed for protection of the

• an automated leak detection system with an alarm system that is continuously monitored both on-site and off-site by an independent service 2. Prior to the installation of the above described underground fuel storage facility on Tract I, Petitioner shall submit plans for such facility to the

1. Storm water runoff from the Site will be managed through proven techniques which satisfy the standards, if any, imposed by the Mecklenburg County Engineering Department. 2. Storm water detention will not be located in buffer areas.

3. The existing pond on Tract II may be rehabilitated and used for torm water detention.

Minimum Lot Width: 30 feet Internal Buffers: 0 feet

Minimum Rear Yard: 10 feet Internal Buffer: 0 feet

Vicinity Map

Single Family Attached Dwelling Units

Minimum Building Separation: 16 feet

Minimum Front Setback: 15 feet from back of curb

4. Petitioner will install a storm water treatment pond on Tract Lin the general location depicted on the Technical Data Sheet and outside of the Mountain Island Lake Watershed. This storm water treatment pond will beconstructed with a baffle at the outlet weir structure that will restrict the direct flow through of water in the event of a floating fuel spill, and include in the pond sizing an additional volume equal to the size of the largest anticipated fuel delivery truck.

5. Petitioner shall revise the existing grades of Tract 1 of the Site such that all surface drainage from the convenience center site will be diverted to the on-site stormwater management pond located thereon. Petitioner will also install a storm drain pipe that will extend from the driveway into the convenience center site to the existing roadway culvert under Rozzelle's Ferry Road to drain the surface runoff from the driveway into the Lake Wylie 6.Petitioner shall provide for a certification by a registered enginer or land surveyor accompanied by an as built field survey of Tract I certifying that

Tract I as built directs all surface water run-off from the convenience center/gas station site into the storm water treatment pond located on Tract I. Such certification shall be reviewed and approved by the Meckle-burg County Department of Environmental Protection prior to the issuance of any Certificate of Occupancy for Tract I. 7. The design of the storm water treatment pond to be installed on Tract I shall be sized on the basis of limiting the post development run-off to the predevelopment run-off for the 25 year storm event for the contributing area diverted from the Mountain Island Lake Drainage Basin to the Lake Wylie Drainage Basin. Future amendments to this Technical Data Sheet and these Development Standards may be applied for by the then Owner or Owners of the Site in

accordance with the provisions of Chapter 6 of the Ordinance BINDING EFFECT OF THE REZONING APPLICATION If this Rezoning Petition is approved, all conditions applicable to levelopment of the Site imposed under these Development Standards and this Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and

subsequent owners of the Site and their respective heirs, devisee personal representatives, successors in interest or assigns. INNOVATIVE DEVELOPMENT STANDARDS FOR TRACT 1 Pursuant to Section 11.208 of the Ordinance, Petitioner seeks to ordin the approval of its use of the following Innovative Development Standards in

connection with the development of Tract II concurrently with the approval of its Rezoning Petition. Single Family Detached Dwelling Units Public Street Rights of Way: 40 feet and 50 feet Private Street Clear of Obstructions: 30 feet

Minimum Lot Size: 2,900 square feet APPROVED BY COUNTY COMMISSION Minimum Building Setback: 15 feet from public right of way Minimum Side Yard: 3 feet Minimum Rear Yard (Internal Lots): 10 feet Minimum Rear Yard (Exterior Lots): 45 feet

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FILE

• TRACT III 1. Unless wider areas are established on this Technical Data Sheet, all buildings constructed within Tract I shall satisfy or exceed the setback, rear yard Historic Landmarks Commission. The "Historic Landmark Parcel" may also be devoted to a maximum of 6 for sale single family detached dwelling and side yard requirements established under the Ordinance for the NS zoning district, and all buildings constructed within Tract III shall satisfy or 3.00 AC Total Site Area exceed the setback, rear yard and side yard requirements established under the Ordinance for the O-1 zoning district. 2. That portion of Tract II that is not located within the Historic Landmark Parcel may be devoted to a maximum of 223 for sale single family dwelling R-3 2. Building setbacks and side and rear yards within Tract II shall conform to the standards of Section 11.205(2) of the Ordinance, except as noted in the **Existing Zoning** units together with any inci ental or accessory structures permitted in the MX-2 Innovative zoning district. Up to 171 of these dwelling units may be for Innovative Development Standards set out below sale single family attached welling units. O-1 CD 3. Building setbacks and parking setbacks from Rozzelles Ferry Road, Tema Circle and Highway 16 will be established in the manner depicted on this Proposed Zoning 3. All single family dwellars, this located within the Mountain Island Lake Watershed Overlay District Critical Area will be single family detached dwelling units, and the renoning portion of Tract II that is not located within the Historic Landmark Parcel may contain a mixture of detached and 30,000 SF Proposed Maximum Square Footage 4. As more particularly depicted on this Technical Data Sheet, a 75 foot building setback and a 30 foot parking setback and landscaped area will be attached single family dweiling units. Only single family detached dwelling units will be located within the building envelope limited to such use on established along the southeastern property line of Tract I. As more particularly depicted on this Technical Data Sheet, a 50 foot building setback and a the Technical Data Sheet. Einer single family detached or attached dwelling units may be located within the building envelope designated for such 30 foot parking setback and landscaped area will be established along a portion of Tract I that abuts Highway 16, and a 50 foot building setback and a 20 uses on the Technical Data Seet. foot parking setback and landscaped area will be established along the remaining portion of Tract I that abuts Highway 16 (excluding the Natural Area). Tract III may be devoted to any uses allowed by right or under prescribed conditions in the O-1 zoning district, including, without limitation, residential The parking setback and landscaped areas on Tract I will be planted to Class B buffer standards. 5. Buildings built along Rozzelles Ferry Road and Tema Circle within Tract I shall be built to the setback line. The number and locations of the buildings uses, provided, however, the hotel and motel uses shall not be permitted within Tract III. The gross floor area of all buildings constructed within Tract on the Schematic Site Plan for Tract I are conceptual and may be reconfigured, reduced or increased subject only to the build-to requirement set forth III may not exceed, in the agregate, 30,000 square feet ~~~ ∠ 20' PARKING SETBACK AND LANDSCARE AREA PLANTED 30' PARKING SETBACK AND TO CLASS B BUFFER STANDARDS ANDSCAPE AREA PLANTED Axxxxx TO CLASS B BUFFER STANDARÓS, Zoning: R-3 ountain Island Critical Area HIGHWAY 16 **EXISTING ZONING: R-3** Zoning: R-3 BUILDING/ENVELOPE LENGTH 37.51 N33°08'27"] Zoning: R-PUD 100.58 N18°26'41"W N16°57'11"W 141.04 149.98 N26°15'59"W 19.99 N63°45'56"E N26°37'29"W N26°01'15"W 12.46 6.88 114.04 68.42 71.03 82.01 N26°51'10"W S63°01'31"E BUILDING AND PARKING ENVELOPE S59°36'36"E N26°28'17"W S58°47'14"E N25°56'13"W S58°28'08"E 73.62 76.80 87.40 S58°10'21"E Zoning: R-3 S57°51'20"E N26°03'13"W 50.09 N26°13'02"W EXISTING ZONING: 23.20 N26°13'21"W ROPOSED ZONING: Ø-1 OD 24.20 41.71 N26°01'31"W N25°33'49"W 125.84 75.58 N25°58'58"W TRACTI N26°18'39"W S57°02'00"E EXISTING ZONING: R-3 Zoning: R-3 PROPOSED ZONING: MX-2 S55°48'42"E S54°55'10"E S51°32'03"E SINGLE FAMILY 47.61 S49°22'12"E ATTACHED OF 5.52 S48°13'43"E S51°24'59"E 47.01 18.26 S46°31'53"E 150.10 29.25 77.67 S48°45'55"E S46°30'19"E S48°28'40"E S50°11'40"E S53°31'04"E 83.39 S54°20'07"E 45.07 S55°43'54"E S58°32'46"E 19.72 S63°15'19"E 194.93 S58°27'58"E 78.04 S55°54'02"E Zoning: R-3 18.90 N78°09'18"F 109.42 N77°56'07"E SINGLEFAMILY 95.76 N77°51'54"E DETACHED N78°33'32"E 6.00 N77°53'38"E 31.83 N77°53'06"E 30.35 N78°35'51"E Scale:1"= 200' 34.21 N78°17'45"E 94.92 N78°27'12"E 21.44 N78°24'06"E 34.46 N75°36'03"E 33.15 N75°42'44"E N75°38'30"E N75°35'48"E N75°37'18"E 123.11 117.95 Zoning: R-3 N75°36'41"E 103.36 N75°36'32"E Zoning/k-3.00 90.59 N75°37'07"E 95.48 N75°38'26"E N75°39'34"E 98.19 Legend N75°36'40"E 98.59 N75°36'41"E Zoning: R-C N75°31'59"E 41.31 Buffer Requirement L70 15.51 N70°29'25"E Undisturbed Open Space

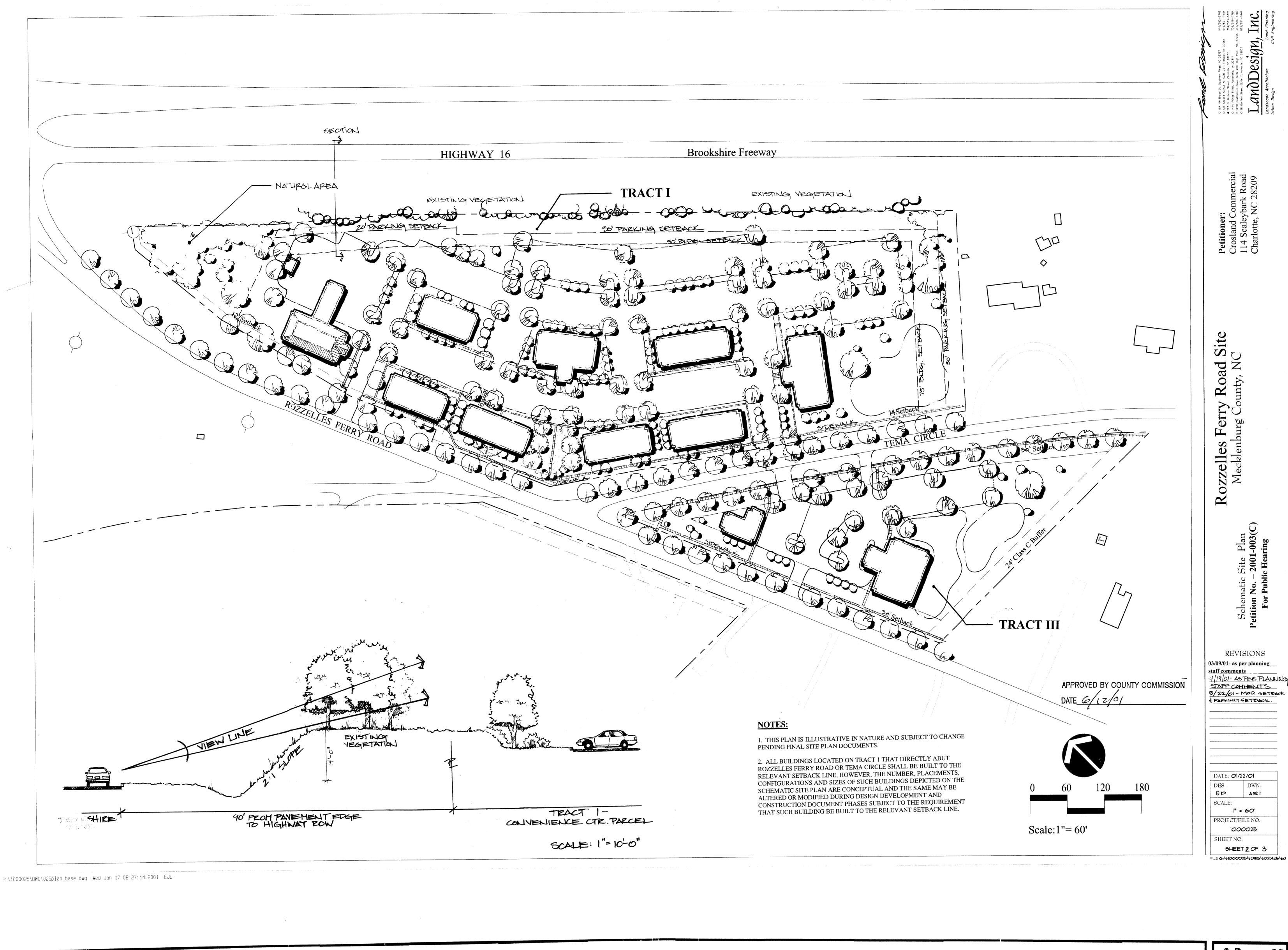
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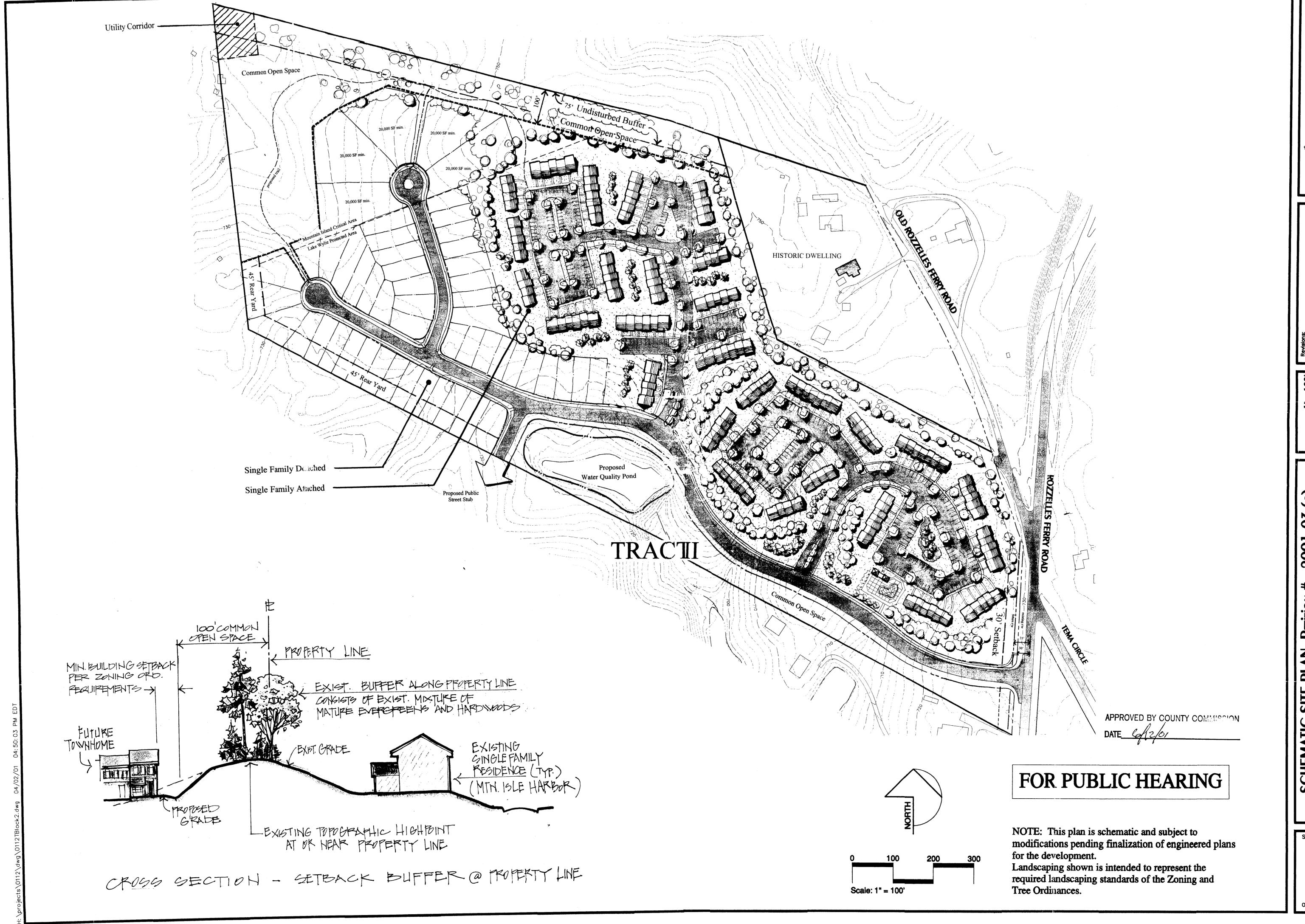
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REVISIONS 03/09/01- as per planning staff comments 04/05/01- as per planning staff comments 04/09/01- as per planning staff comments 04/19/01- as per planning staff comments 04/20/01- added notes 05/09/01- added notes 05/22/01- as per planning staff comments

06/06/01- additional notes DATE: 01/22/01 DWN. SCALE: 1" = 200' PROJECT/FILE NO. 1000025 SHEET NO. SHEET 1 OF 3 FILE**G:15100002515DWG15025tde15**d





TION #: 2001-07 (C)

ADD PROPERTY
DEATH CAROLINA

Scale: 1" = 100'

1. o./cz/or PER STAFT COMMENTS

2. 4/17/01, ADD'L SIDEWALKS, 75' UNDISTURBED BUFFER

3. 5.22 of REVISED PER CLIENT COMMENT

Death By
SRT

PROMISE NC 28209

Scale: 1" = 100'

3. 5.22 of REVISED PER CLIENT COMMENT

Death By
SRT

Death Rouleward, Suite 100, Charlotte, North Conclusions Processing Processing

ROZZELLES FERRY

MECKLENBURG COUN

oet No.