

**AMENDED REZONING APPLICATION
CITY OF CHARLOTTE**

Petition #: 2006-096

Date Originally Filed: 04/24/2006

Date Amended: 06/19/06

Received By: _____

Complete all fields -

Property Owner: Highwoods Realty LP

Owner's Address: 3100 Smoketree Court, Suite 600 City, State, Zip: Raleigh NC 27604-1050

Date Property Acquired: 2001 Utilities Provided: (Water) CMUD (Sewer) CMUD
(CMUD, Private, Other) (CMUD, Private, Other)

LOCATION OF PROPERTY (Address or Description): Approximately 41.185 acres located on the west side of McCullough Drive, south of W. T. Harris Boulevard

Tax Parcel Number(s): 047-212-05

Current Land Use: Vacant

Size (Sq.Ft. or Acres): Approximately 41.185 acres

Existing Zoning: O-2(CD) and B-2(CD) Proposed Zoning: NS

AMENDED REQUEST DETAILS:

The currently approved O-2(CD) and B-2(CD) site plan allows up to 900,000 square feet of office uses, approximately 30,000 square feet of commercial uses and a hotel on the Site. The purpose of this petition is to incorporate residential uses into a transit supportive, mixed use development on the Site along with up to 400 residential units, 200,000 square feet of office, 75,000 square feet of limited commercial uses and a hotel.

2) Amendment/Change: The purpose of this amended application is to change the proposed zoning classification to NS (Neighborhood Services).

Jeff Brown
Laura Simmons
Name of Agent
Kennedy Covington Lobdell & Hickman, L.L.P.
214 N. Tryon Street, 47th Floor
Agent's Address

Charlotte, NC 28202
City, State, Zip

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See attached Joinder

Jackson Naftel
Phillips Development and Realty, LLC
Name of Petitioner(s)
2080 Brentmoor Drive
Address of Petitioner(s)

Raleigh, NC 27604
City, State, Zip

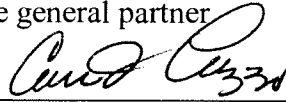
919-954-1700 Ext. 28 919-954-1730
Telephone Number Fax Number
jackson@pdrllc.com
E-Mail Address

See attached Signature Page
Signature

SIGNATURE OF PROPERTY OWNER

HIGHWOODS REALTY LIMITED PARTNERSHIP,
a North Carolina limited partnership

By: Highwoods Properties, Inc.,
a Maryland corporation,
its sole general partner

By: 
Name: Carman J. Liuzzo
Title: Vice President

REZONING PETITION NO. 2006-096
PHILLIPS DEVELOPMENT AND REALTY, LLC, PETITIONER


JOINDER AGREEMENT

The undersigned, as the owner of a tract of land that has been assigned Tax Code No. 047-212-05 which is the subject of the attached Rezoning Petition, hereby joins in this Rezoning Petition and consents to the change in zoning of Tax Parcel No. 047-212-05 to the NS Zoning District, as more particularly provided in the Petition and on the Technical Data Sheet and other accompanying documents, and further authorizes the Petitioner to make such amendments and modifications as it may from time to time hereafter elect.

This ____ day of June, 2006.

HIGHWOODS REALTY LIMITED PARTNERSHIP,
a North Carolina limited partnership

By: Highwoods Properties, Inc.,
a Maryland corporation,
its sole general partner

By: 
Name: Carman J. Liuzzo
Title: Vice President