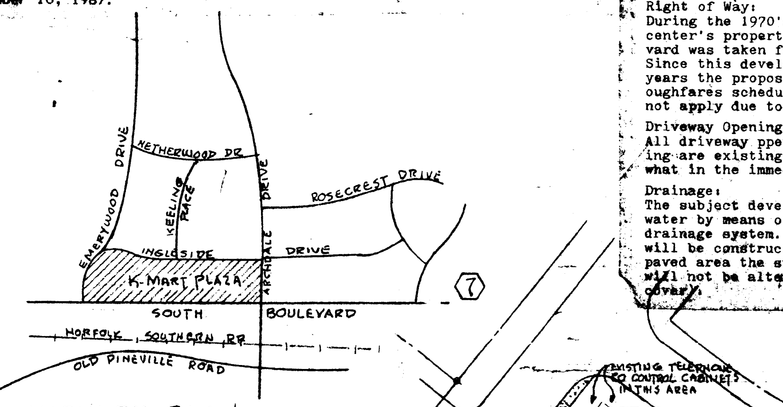
LEGAL DESCRIPTION

BEGINNING at the point of intersection of the easterly margin of the Pineville Road (South Boulevard) right-of-way if extended (said right-of-way being 70 feet in width) with the southerly margin of the Emerywood Drive right-of-way if extended (said right of way being 60 feet in width as established by instrument recorded in book 2029 at page 153, in the Mecklenburg Registry), and runs thence from said beginning point in an easterly direction with said margin of the said Emerywood Drive right-of-way in 3 courses and distances as follows: (1) S. 86-34-50 E. 85.27 feet to a point; (2) following the arc of a curve to the right (said curve having a radius of 393.36 feet) a distance of 268.08 feet to a point; (3) S. 47-43-50 E. 239.99 feet to the point of intersection of said margin of Emerywood Drive right-of-way if extended with the westerly margin of Ingleside Drive right-of-way if extended (said right-of-way being 50 feet in width); thence in a southerly direction with said margin of the Ingleside Drive right-of-way in 5 courses and distances as follows: (1) S. 42-16-10 W. 21.0 feet to a point; (2) following the arc of a curve to the left (said curve having a radius of 280.21 feet) a distance of 190.0 feet to a point; (3) S. 3-25-10 W. 872.0 feet to a point; (4) following the arc of a curve to the right (said curve having a radius of 732.33 feet) a distance of 96.56 feet to a point; (5) S. 10-58-27 W. 8.80 feet to the point of intersection of said margin of Ingleside Drive right-of-way if extended with the northerly margin of the Archdale Drive right-of-way if extended (said right-of-way being 80 feet in width); thence with said margin of Archdale Drive right-of-way N. 86-34-50 W. 437.48 feet to the point of intersection of said margin of the Archdale Drive right-of-way if extended with the easterly margin of the Pineville Road (South Boulevard) right-of-way if extended, and thence with said margin of the Pineville Road (South Boulevard) right-of-way N. 3-25-10 E. 1407.11 feet to the point or place of BEGINNING, as shown on survey made by R.B. Pharr & Associates, Registered Surveyors, under date of November 10, 1987.



VICINITY PLAN NO SCALE

NOTE ON TREE PLANTING:
ALL NEW TREES PLANTED BY PROPERTY OWNER WILL BE PLANTED WITHIN THE OWNER'S PROPERTY. ALL TREES & PLANTINGS NOW EXISTING WITHIN THE PUBLIC R/W WILL BE MAINTAINED AND, IF NEED BE, REPLACED IN KIND BY PROP. OWNER

APPROVALS BY CITY ARBORIST AND COMPLIANCE WITH CITY ORDINANCE ARE PENDING

DEVELOPMENT SPECIFICS

HISTORY

K-MART PLAZA, South Boulevard was built in several stages during the years 1961 to 1965. The NCNB branch bank was added during the mid 1970's. Since that time the subject development has remained basically without change and is now in its 3rd ownership.

INTENT

The present owner Lemberg Syndicate-Charlotte Joint Venture acquired this property in 12/87 and desires to upgrade the external appearance of this shopping center and increase the floor area of the existing A & P building as shown on this drawing.

DEVELOPMENT DATA

Present Zoning - B-2 - Required B1-SCD	
Present Gross Square Footing Building Area	163,300 s.f.
Planned Additional Building Area	16,622 s.f.
Proposed Total Building Area	179,922 s.f.

REFURBISHMENT

If the requested zoning change is approved the Owner intends to improve the appearance of the subject development by constructing new planting and parking separation areas, rebuilding the traffic areas within the shopping center along the entire length of South Boulevard frontage allowing a wide tree planting strip therein and generally improving traffic flow.

GENERAL PROVISIONS

Right of Way:
During the 1970's a 5 foot wide strip of the shopping center's property, along the entire length of South Boulevard was taken for street widening.
Since this development has been in existance for over 20 years the proposed new set back requirements along thoroughfares scheduled to take effect on May 1, 1989 should not apply due to the exception cited in Amendment 1631.4.

Driveway Openings:
All driveway ppenings into traffic as shown on the drawing are existing and in some cases will be modified somewhat in the immediate areas within the parking lot.

Drainage:
The subject development drains ground surface and roof water by means of catch basins and an underground pipe drainage system. Since the proposed new building addition will be constructed over presently existing impervious paved area the surface areas, pervious or impervious, will not be altered. (Section 1603.5 existing impervious cover).

Screen Planting and Trees:
The shopping center plan, as drawn, indicates areas and location of screen planting, trees, etc. The City Ordinance covering this item will be complied with. There presently exists a substantial amount of screen planting within the property, especially along the Ingleside Drive line, along with many mature trees previously planted.
The plan indicates a new 8 foot wide planting strip along the entire length of South Boulevard frontage set aside for required tree planting.

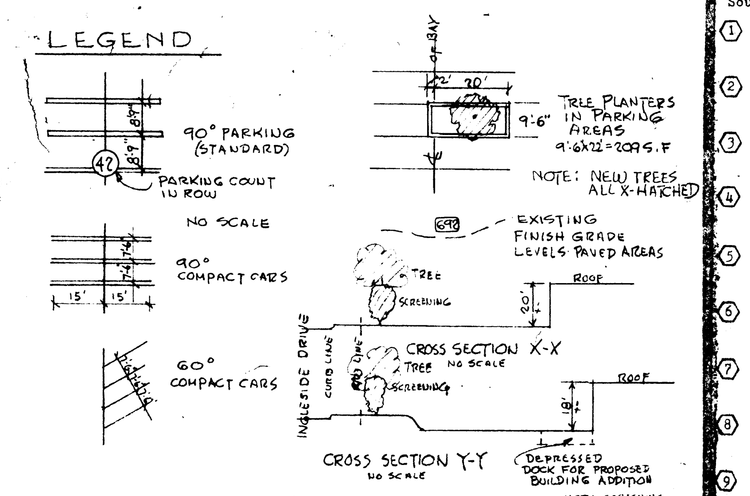
Signage:
The location of existing signage is shown on the drawing. The location of these identity signs will remain where shown. It is possible that one or more of these existing signs may be upgraded or modified, depending on shopping center tenant occupancy.

NON-CONFORMANCE

Zoning classification B-1 SCD calls for a minimum distance from street lines to any building to be at least 35 feet. As indicated on the drawing the rear of the K-Mart building is dimensioned 30 feet to the Ingleside Drive street line which was in compliance in 1963.

PARKING

The gross and sales areas of the existing buildings and proposed addition along with related parking is shown on the schedule herein.



PARKING TABULATION

* BUILDING-RETAIL SPACES PRESENTLY OCCUPIED BY:	GROSS BUILDING AREA	SALES AREA (80% OF GROSS)*	REQUIRED CAR COUNT
K-MART	74,800 S.F.	* 59,840 S.F.	300
HEALTH SALON	20,000 "	* 16,000 "	80
SATELLITE STORES	48,400 "	* 38,720 "	194
RETAIL STORE PRESENTLY OCCUPIED BY M.P.	18,060 "	15,401 " (ACTUAL)	77
PROPOSED EXPANSION	16,622 "	1,495 " (ACTUAL)	8
N.C.N.B BRANCH BANK	2,100 "	2,100 "	21
TOTALS	179,922 S.F.	133,556 S.F.	680 SPACES

* PRESENT OCCUPANCY NAMES ARE FOR REFERENCE ONLY

* RETAIL INDUSTRY AVERAGE

BASIS OF PARKING COUNT

RETAIL STORES - SALES AREA = 1SPACE/200 S.F.
BANK - ONE SPACE/100 S.F. FLOOR AREA
EMPLOYEES - 1 SPACE/2 EMPLOYEES
HANDICAP - 2% OF TOTAL SPACES
COMPACT SPACES - 25% OF TOTAL COUNT MAX.

RETAIL & BANK ——— = 680
EMPLOYEES - 145 ÷ 2 = 73
TOTAL REQUIRED 753 SPACES

SHOWN ON PLAN - FULL SPACES —— 605
COMPACT CARS — 183
HANDICAP —— 16
TOTAL SHOWN 804

LIST OF ADJACENT PROPERTY OWNERS

In sequence starting at the northeast corner of South Boulevard and Emerywood Drive

(1) 171-141-01
Hardy Oil Co. Jack L. Hardy, Agent
901 Pecan Avenue, Charlotte, N.C. 28205

(2) 171-141-02
General Realty and Investment Co., Inc.
c/o P.O. Box 52084, Phoenix, Arizona 85072

(3) 171-141-03
Jeffers, Lawrence & Wife Clearine
1524 Keeling Place, Charlotte, N.C. 28210

(4) 171-141-37
Deaton, Frank A. & Wife Carolyn S.
P.O. Box 9327, Charlotte, N.C. 28299

(5) 171-141-36
Atwold, Henry H. & Wife Donna E.
4800 Cody Place, Matthews, N.C. 28105

(6) 171-141-4
Craig, Roger W.
1427 Emerywood Drive, Charlotte, N.C. 28210

(7) 171-141-5
Klutts, J. Vaughn & Wife Joy W.
1433 Emerywood Drive, Charlotte, N.C. 28210

(8) 173-14-01
Boyles, Everette H. & Wife Marian W.
801 Cooper Drive, Charlotte, N.C. 28210

(9) 173-14-02
Seib, George Lewis
680 Archdale Drive, Charlotte, N.C. 28210

(10) 173-14-03
Mooneyhan, Robert F. & Wife Virginia S.
7328 Linda Lake Drive, Charlotte, N.C. 28215

(11) 173-14-04
Davis, Edna M., Mrs. J.K.
1218 Westover Terrace, Greensboro, N.C. 27408

(12) 173-14-05
Seib, George Lewis
680 Archdale Drive, Charlotte, N.C. 28210

(13) 173-13-01
Seib, George Lewis
680 Archdale Drive, Charlotte, N.C. 28210

(14) 173-13-02
Seib, George Lewis
680 Archdale Drive, Charlotte, N.C. 28210

(15) 173-12-03
Watrous, Todd J. & Wife Mary
6019 Ingleside Drive, Charlotte, N.C. 28210

(16) 173-13-04
Stewart, Jack & Wife Marlene C.
1811 Archdale Drive, Charlotte, N.C. 28210

(17) 173-13-05
Mendozo, Roberto A. et al.
6031 Ingleside Drive, Charlotte, N.C. 28210

(18) 173-13-06
Cramer, Donald J.
6037 Ingleside Drive, Charlotte, N.C. 28210

(19) 173-13-07
Ammerman, Walter N. & Wife Sarah D.
6047 Ingleside Drive, Charlotte, N.C. 28210

(20-a) 173-22-07
Starmount Shopping Center
P.O. Box 36509, Charlotte, N.C. 28236

(20-b) 173-22-07
First Union National Bank
Property Management Dept.
1st Union Plaza, Charlotte, N.C. 28288

(21) 173-11-10
SOHIO Oil Co.
P.O. Box 94563, Cleveland, Ohio 44114

(22) 173-11-09
McKaig A. Stuart 3rd
2233-B Rexford Road, Charlotte, N.C. 28211

(23) 173-11-08
Bailey, James H., Jr. Trustee
Trust Department
P.O. Box 3099 Winston-Salem, N.C. 27150

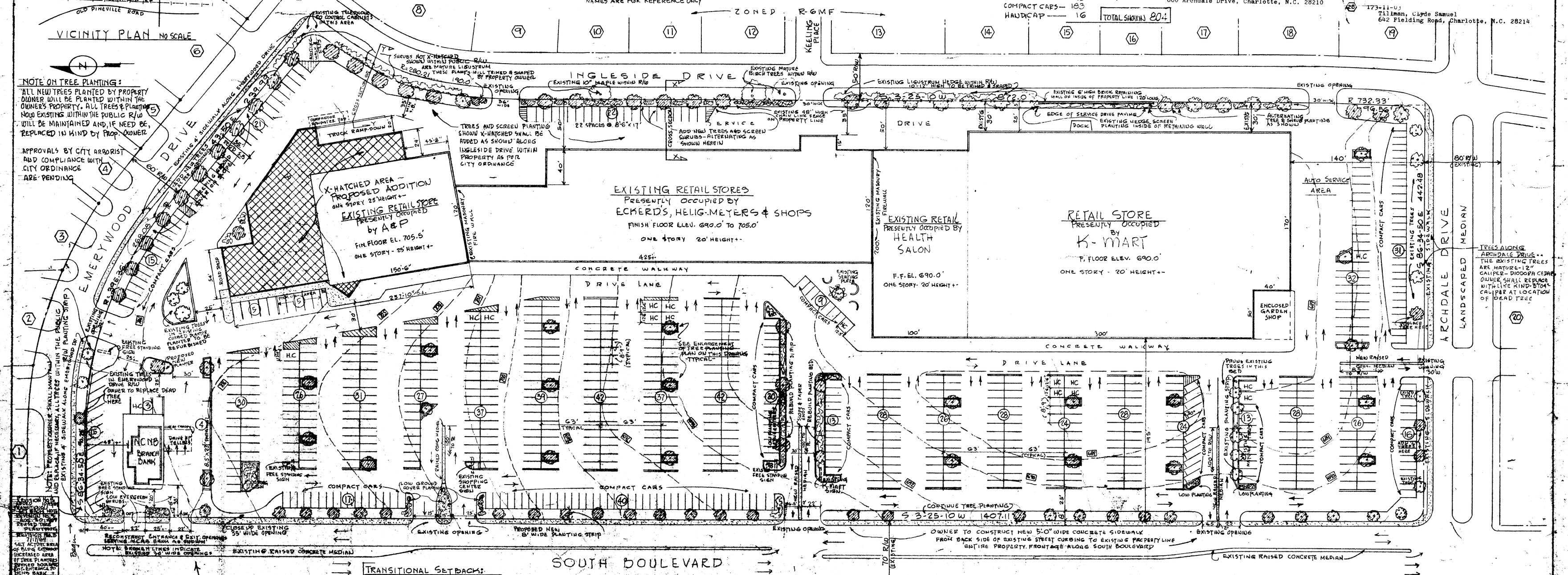
(24) 173-11-07
Kertesis, Sam D & Wife Helen P.
6436 Greencove Drive, Charlotte, N.C. 28211

(25) 173-11-06
Castanas, James & Wife Dena P.
3329 Colony Road, Charlotte, N.C. 28211

(26) 173-11-05
Plowe Development Co
c/o LEVCO Shopping Centers
One Wayne Hills Mall, Wayne, N.J. 07470

(27) 173-11-04
A. L. Levine & Carole Steiger
One Wayne Hills Mall, Wayne, N.J. 07470

(28) 173-11-03
Tillman, Clyde Samuel
642 Fielding Road, Charlotte, N.C. 28214



NOTE: PROPERTY OWNER SHALL MAINTAIN AND REPLACE ALL TREES WITHIN THE PUBLIC R/W EXISTING & SIDEWALK ALONG EMERYWOOD DRIVE

TRANSITIONAL SETBACKS:
THE PROPERTY OWNER, LEMBERG SYNDICATE, CHARLOTTE JOINT VENTURE, AGREES TO RESERVE 15 FEET OF THE OWNER'S PROPERTY ALONG THEIR FRONTAGE OF SOUTH BOULEVARD FOR FUTURE AQUISITION BY THE CITY OF CHARLOTTE FOR STREET WIDENING. THE TERMS OF A LETTER FROM THE OWNER DATED OCTOBER 20, 1987 TO CITY MANAGER O. WENDELL WHITE IS HEREBY MADE A PART OF THIS PETITION.

BRANCH BANK DRIVEWAY NOTE
IF AND WHEN THE PRESENT NCNB BANK PARCEL REDEVELOPS, CHANGES TENANTS OR UPON EXPIRATION OF ITS EXISTING LEASE (2/3/1993) THE DRIVEWAY TO SOUTH BOULEVARD SHALL BE ELIMINATED.

REFURBISHMENT AND ADDITION TO K-MART PLAZA, CHARLOTTE, N.C.

PLOT PLAN SCALE 1"=40"

APPROVED BY CITY COUNCIL
DATE 10/23/89
89-53

ARCHITECT-PLANNER
RALFE MELROBIAN, A.I.A
527 MORAVIAN LANE
CHARLOTTE, N.C. 28207 704-332-3774

PROPERTY OWNER
LEMBERG SYNDICATE-CHARLOTTE JOINT VENTURE
60 EAST 42ND ST SUITE 1814
NEW YORK, NEW YORK 10165