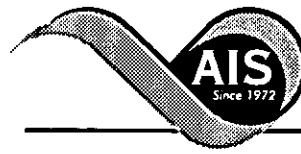




* 0 0 B R E A K 0 0 *



**ADVANCED
IMAGING
SYSTEMS**

An Information
Management Company

www.aisimc.com

City of Charlotte – Planning Dept. Scanning Rezoning Files

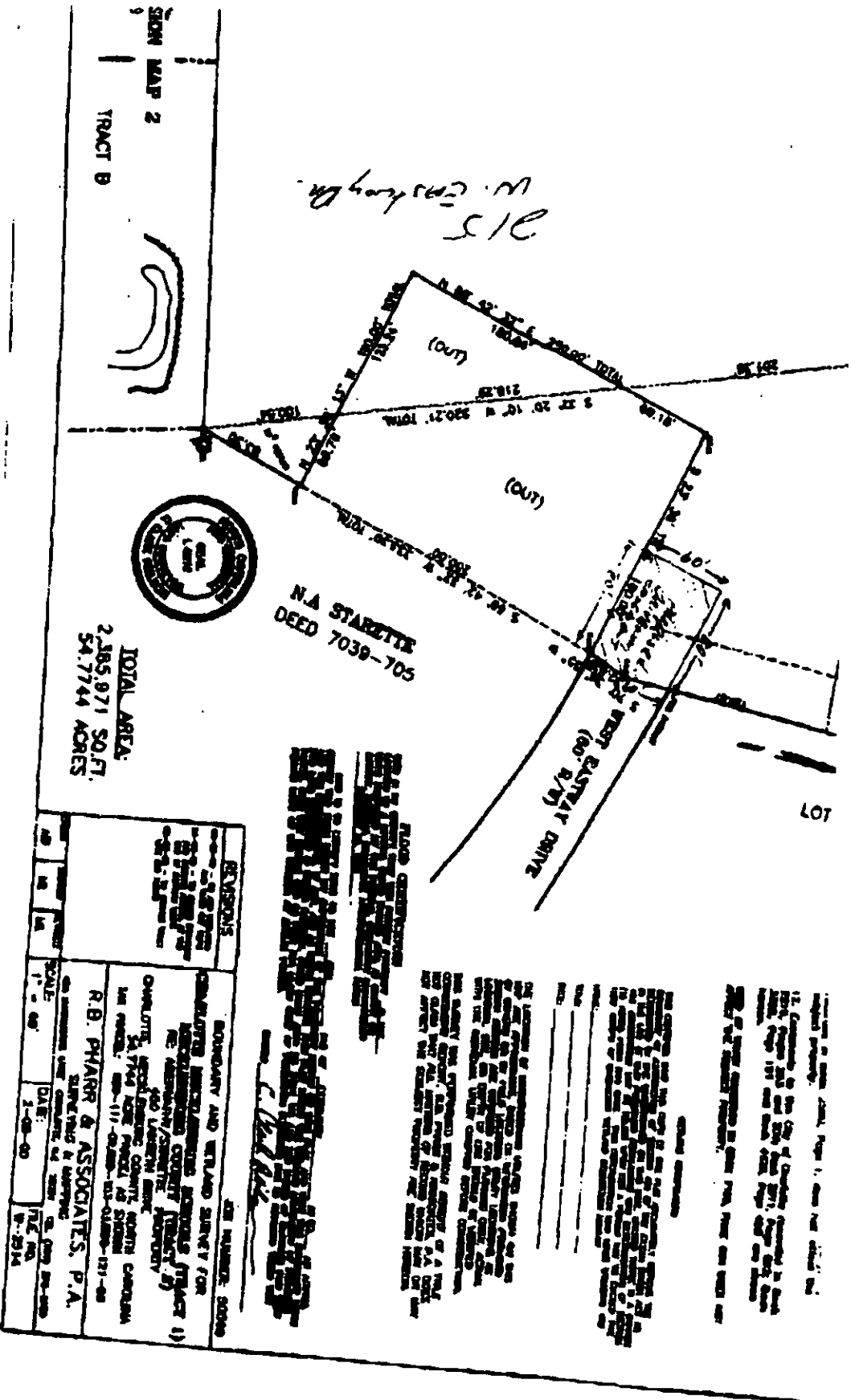
Petition # _____

Document type:

- Applications
- Correspondence
- Department Comments
- Land Use Consistency
 - Mail Info
 - Mapping
 - Other
- Site Plans



* 0 0 B R E A K 0 0 *



REVISIONS		BY NUMBER	
NO.	DATE	BY	NO.
1	1-28-00		

BOUNDARY AND WETLAND SURVEY FOR
 CHALLOTTE INVESTMENT SERVICES TRACT 1)
 RE: AMBASSADOR COMMUNITY TRACT 1)
 400 LANTERN BLVD
 CHARLOTTE, NORTH CAROLINA
 SA. TRACED HERE FROM AS SHOWN
 IN RECORD: 88-11-0488-113-0489-127-48
R.B. PHARR & ASSOCIATES, P.A.
 SURVEYORS & ENGINEERS
 1100 W. 10TH ST. SUITE 200
 CHARLOTTE, NC 28204
 TEL: 704-375-1100
 FAX: 704-375-1101

THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1978 AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, NORTH CAROLINA. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1978 AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, NORTH CAROLINA. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1978 AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, NORTH CAROLINA.

(704)-737-5311



GIS Real Estate System

Mecklenburg County, NC Geographic Information Systems

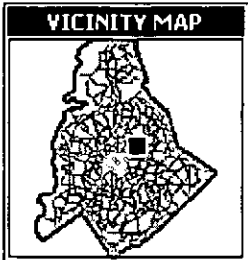
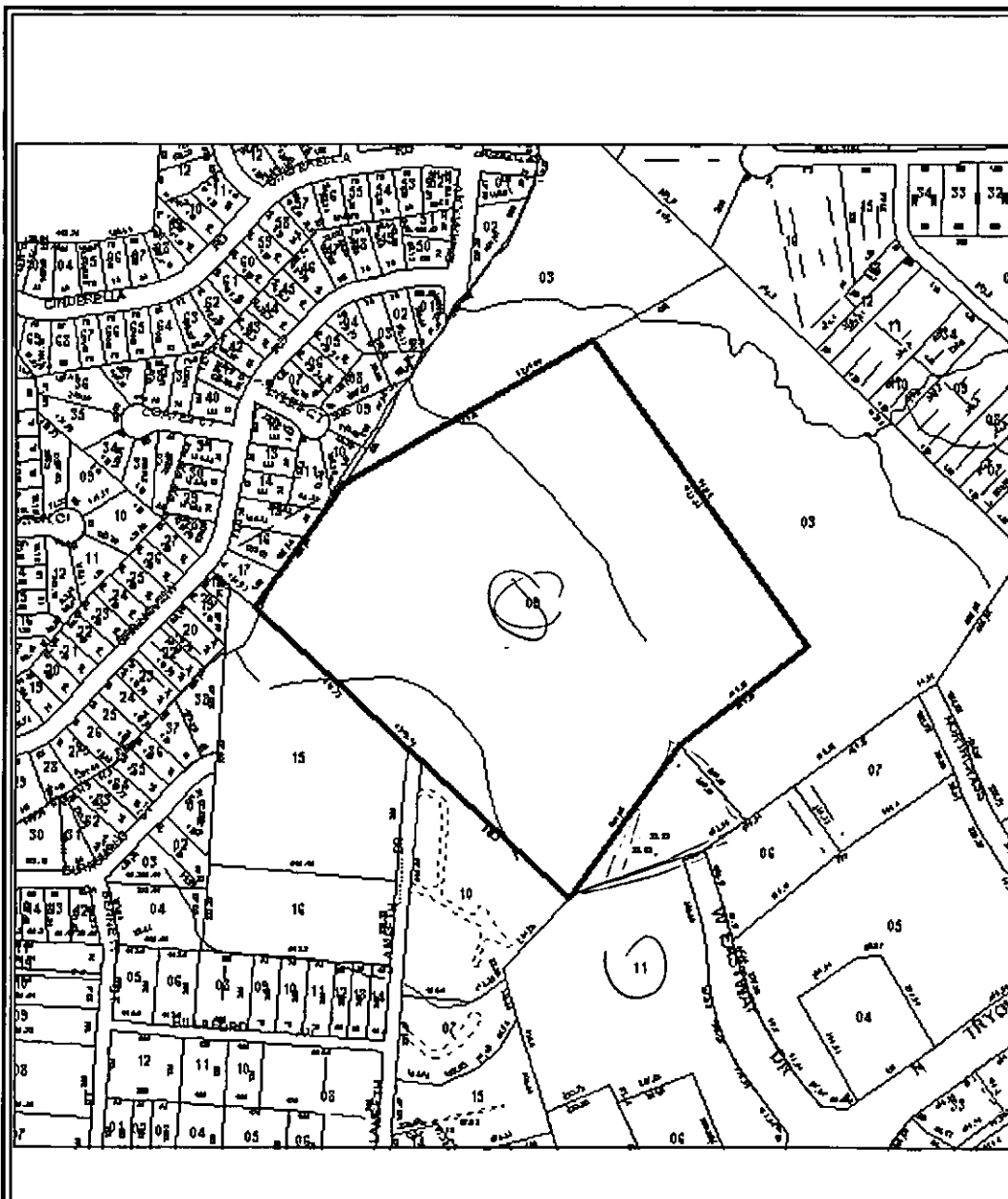
[Tax Parcel & Map Sheet Search](#)
[Road Name & Intersection Search](#)
[Market Analysis Search Menu](#)
[Return to Full Map Extent](#)
[How to Use the System](#)
[Return to GIS Homepage](#)

Click on Map to Perform Operation

- Refresh Map
 Pan
 Zoom In
 Zoom Out
 Zoom Factor
 Identify

 Surveyor's Report

 Adjoining Owner's Report within
 Measure
 Label Parcels by:



- LEGEND**
- County Boundary
 - Jurisdictions
 - Tax Parcels
 - Parcel Dimensions
 - Sales by Deed Year
 - Railroad ROW
 - Utility ROWs
 - Bodies of Water
 - Streams
 - Floodplain
 - Watershed
 - Surface Water Buff.
 - Building Outlin
 - Prop. I-485 Corridor
 - Photo Control
 - 1999 Aerial Photo

Tax Parcel Lar
Use

[Click here to submit questions or comments about the information shown on this page.](#)

Map Scale: 1 Inch = 510 Feet Date and Time Stamp 8/9/00 10:41:12 AM EST	This map is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.
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Tax Real Estate Information

Parcel-Id#: 08911109 GIS Map#: 08911109 Account Type: INDIVIDUAL Owner: STARRETTE NANCY ABERNATHY Add. Owner: (BY WILL) Mailing: 114 CHATTEL CLOSE Address: City: CARY State: NC ZIP: 27511 Location: 450 LAMBETH DR Get Directions Municipality: CHARLOTTE	Legal Desc: Deed Book/Page: 02605/481 Date: 1/1/75 Sales Price: \$0 Sales Date: 1/1/75 Qualified Sale: N Neighborhood Code: 08901 Historic Desig.: Farm Desig.: Deeded Acreage: 28.57 Assessed Acreage: 28.57 Assessed Land Value: \$428550 Total Assessed Value: \$428550
--	---

Site Location Information

Zoning from Tax: R4CD Fire District: N/A Voter District: Click to Find Out School District: Click to Find Out Watershed Class: N/A	Parks Within 3 Miles: Click to Find Out FEMA Flood Panel#: 3701590009B FEMA Flood Zone: OUT FEMA Flood Map Date: 03/02/1993 Census Tract Number: 53.98
---	---

Major Improvement Information

Parcel-Id# & Card#: 08911109-001 Land Use Type: VACANT Building Type: SINGLE FAMILY RESIDENTIAL Approximate Square Footage: 0 Actual Year Built: 0 Number of Stories: Bedrooms: 0 Bathrooms: 0 Restrooms: 0	Situs Location: 450 LAMBETH DR Get Directions Ext. Type: Heating Type: AC Type: Fireplace: Garage: N Basement: N Assessed Net Bldg Value: \$0 Total Assessed Bldg Value: \$0
--	---

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MapObjects Internet Map Server



HITSTATS By



FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2003 JUL 28 03:40 PM
BK: 15784 PG: 648-649 FEE: \$20.00
INSTRUMENT # 2003170482
2003170482

Esche Tax \$ 0

Recording Time, Book and Page

Tax Lot No. 089111-16 Parcel Identifier No. _____
Verified by _____ County on the _____ day of _____, 19____
by _____

Mail after recording to Grantee
This instrument was prepared by Douglas P. MacMillan, Attorney (without title examination)

Brief Description for the index

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made August 12, 2002, by and between

GRANTOR

JOHN B. ABERNETHY and wife,
JUDITH M. ABERNETHY;
MARGARET A. HOUGH and husband,
THOMAS E. HOUGH;
WILLIAM S. ABERNETHY III and wife,
FRANCES K. ABERNETHY

GRANTEE

FAITH BIBLE CHURCH OF FORT MILL, INC.,
a South Carolina non-profit corporation

3585 Centre Circle Drive
Fort Mill, SC 29715

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Charlotte, Township, Mecklenburg County, North Carolina and more particularly described as follows:

BEGINNING at a buried concrete monument located in the westerly margin of the right-of-way of West Eastway Drive at the northwesterly most corner of said right-of-way and runs thence S. 66-42-32 W. 249.98 feet to a concrete monument in the line of the property conveyed to the Charlotte-Mecklenburg Board of Education by Deed recorded in Book 11302 at Page 224 of the Mecklenburg Public Registry; thence with two (2) lines of the Charlotte-Mecklenburg Board of Education as follows: (1) N. 23-36-40 W. 180.00 feet to a concrete monument; and (2) N. 66-42-32 E. 250.00 feet to a concrete monument; thence S. 23-36-13 E. 180.00 feet to the point and place of BEGINNING, and containing 44,997 square feet (1.03 acres), more or less, according to survey entitled "Portion of Starette/Abernethy Estate", dated April 25, 2002, prepared by Jack R. Christian, N.C.R.L.S., reference to said survey being hereby made for a more particular description. **TOGETHER WITH AND INCLUDING** any and all rights of the Grantor in and to a non-exclusive general right and

59

easement for ingress, egress and regress of vehicular and pedestrian traffic from the public right-of-way of Eastway Drive over that contiguous portion of real property which is 60 feet in width and parallel to and running with the northeasterly boundary line of the above-described property, as reserved in that deed from the Grantors herein and from the co-Executors of the Nancy A. Starette estate to the Charlotte-Mecklenburg Board of Education recorded in Book 11302 at Page 224 of the Mecklenburg Public Registry.

BEING a portion of the property devised to John B. Abernethy, Margaret A. Hough and William S. Abernethy III by the last will and testament of Nancy A. Starette who died December 21, 1997 in Mecklenburg County, North Carolina (see File No. 98-E-900 in the office of the Clerk of Superior Court for Mecklenburg County, North Carolina).

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and that Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

Subject to all easements, conditions, restrictions and rights-of-way as may appear of record and ad valorem taxes for 2002 and subsequent years and.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals the day and year first above written.

John B. Abernethy (SEAL)
JOHN B. ABERNETHY

Judith M. Abernethy (SEAL)
JUDITH M. ABERNETHY

Margaret A. Hough (SEAL)
MARGARET A. HOUGH

Thomas E. Hough (SEAL)
THOMAS E. HOUGH

William S. Abernethy III (SEAL)
WILLIAM S. ABERNETHY III

Frances K. Abernethy (SEAL)
FRANCES K. ABERNETHY

STATE OF N.C.
COUNTY OF Wake

I, Lauren C. Gonzalez, a Notary Public of the County and State aforesaid, certify that JOHN B. ABERNETHY and wife, JUDITH M. ABERNETHY, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 30 day of May, 2002.

My commission expires: 10/28/2006

Lauren C. Gonzalez Notary Public

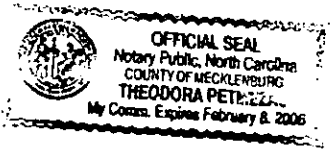


STATE OF NC
COUNTY OF Mecklenburg

I, Theodora Petreza, a Notary Public of the County and State aforesaid, certify that MARGARET A. HOUGH and husband, THOMAS E. HOUGH, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 10 day of June, 2002.

My commission expires: 2-8-06

Theodora Petreza Notary Public



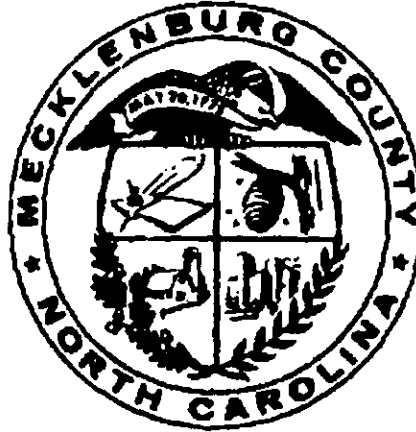
STATE OF North Carolina
COUNTY OF Ashe

I, Peggy D. Powers, a Notary Public of the County and State aforesaid, certify that WILLIAM S. ABERNETHY-III and wife, FRANCES K. ABERNETHY, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 13th day of August, 2002.

My commission expires: 7-30-2005

Peggy D. Powers Notary Public





JUDITH A. GIBSON
REGISTER OF DEEDS, MECKLENBURG
COUNTY & COURTS OFFICE BUILDING
720 EAST FOURTH STREET
CHARLOTTE, NC 28202

Filed For Registration: 07/28/2003 03:40 PM
Book: RE 15784 Page: 646-649
Document No.: 2003170482
DEED 4 PGS \$20.00

Recorder: NANCY JONES

State of North Carolina, County of Mecklenburg

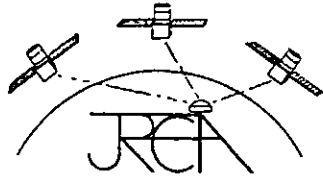
The foregoing certificate of LAUREN C. GONZALEZ , THEODORA PETMEZAS , PEGGY D. POWERS Notaries
are certified to be correct. This 28TH of July 2003

JUDITH A. GIBSON, REGISTER OF DEEDS By
Deputy/Assistant Register of Deeds



2003170482

98-117



JACK R. CHRISTIAN & ASSOCIATES
-SURVEYING-

PHONE (704) 332-4763 FAX (704) 376-0127
811 CENTRAL AVE. SUITE #6 CHARLOTTE, NORTH CAROLINA

LEGAL DESCRIPTION PARCEL A-2

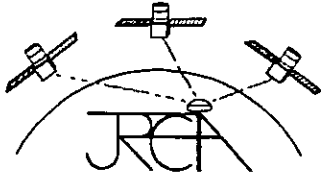
BEING A PARCEL OF LAND IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY NORTH CAROLINA AND BEING A PORTION OF LAND CONVEYED TO WILLIAM S. ABERNATHY JR. DEED BOOK 1932 PAGE 134 MAP BOOK 23 PAGE 934 OF THE MECKLENBURG PUBLIC REGISTRY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERN RIGHT OF WAY OF NORTHCHASE DRIVE SAID BEGINNING POINT BEARING FOUR (4) CALLS FROM THE INTERSECTION OF THE RIGHT OF WAYS OF NC HWY.. #49 (NORTH TRYON STREET) (US HWY. #29) AND NORTH CHASE DRIVE:

1) N. 38°05'40" W. 125.00 FEET;
2) N. 40°20'40" W. 100.00 FEET;
3) N. 38°32'36" W. 59.64 FEET;
4) WITH THE ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 945.00 FEET AN ARC DISTANCE OF 101.29 FEET (SUBTENDED BY A CHORD BEARING N. 35°28'22" N. 101.24 FEET) SAID POINT ALSO BEING THE NORTH WESTERN CORNER OF LOT 1-A BLOCK 2 OF MAP BOOK 26 PAGE 976 OF MECKLENBURG COUNTY PUBLIC REGISTRY, AND CONTINUING THENCE WITH SAID RIGHT OF WAY THREE (3) CALLS:

1) WITH THE ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 945.00 FEET AN ARC DISTANCE OF 138.73 FEET (SUBTENDED BY A CHORD BEARING N. 28°11'47" W. 138.61 FEET TO A POINT;
2) N. 23°59'27" W. 104.97 TO A POINT;
3) THENCE WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 855.00 FEET AN ARC DISTANCE OF 184.85 FEET (CHORD BEARING N. 30°11'04" W. 184.49 FEET) TO A POINT THE NORTHEASTERN CORNER OF RIGHT OF WAY OF NORTH CHASE DRIVE AT ITS TERMINUS, ALSO A POINT IN THE SOUTHERN PROPERTY LINE OF NANCY ABERNATHY STARRETTE BY WILL (SEE DEED BOOK 2605-48) OF MECKLENBURG COUNTY REGISTRY. THENCE N. 33°23'20" E. 428.65 TO A POINT THE NORTHWEST CORNER OF LOT 139 AUSTIN PARK- MAP 11, MAP BOOK 5 PAGE 317 OF THE MECKLENBURG PUBLIC REGISTRY THENCE CONTINUING REAR OF LOTS 139 THRU 144 OF SAID AUSTIN PARK AND WESTERN LINE OF TDK, INC. DEED BOOK 5118 PAGE 680 OF THE MECKLENBURG PUBLIC REGISTRY FOUR (4) CALLS:

1) S. 47°31'44" E. 48.86 FEET TO A POINT;
2) S. 48°55'14" E. 99.55 FEET TO A POINT;
3) S. 49°03'48" E. 169.37 FEET TO A POINT;
4) S. 42°57'12" E. 243.09 FEET TO A POINT THE SOUTHEASTERLY CORNER OF LOT 1-A BLOCK 2 WILLIAM S. ABERNATHY JR. PROPERTY. DEED BOOK 720 PAGE 231 OF MAP BOOK 26 PAGE 976 OF MECKLENBURG COUNTY PUBLIC REGISTRY THENCE WITH NORTHERN LINE OF LOT 1-A S. 51°37'30" W. 560.79 FEET TO A POINT AND PLACE OF BEGINNING AND CONTAINING 5.47 ACRES ALL AS SHOWN ON A SURVEY BY JACK R. CHRISTIAN AND ASSOCIATES DATED SEPTEMBER 3, 1998.



JACK R. CHRISTIAN & ASSOCIATES
-SURVEYING-

PHONE (704) 332-4763 FAX (704) 376-0127
811 CENTRAL AVE. SUITE #6 CHARLOTTE, NORTH CAROLINA

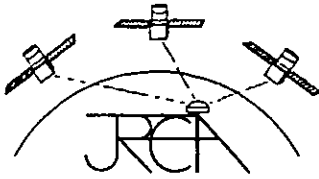
LEGAL DESCRIPTION PARCEL D

BEING A PARCEL OF LAND IN THE CITY OF CHARLOTTE MECKLENBURG COUNTY NORTH CAROLINA AND BEING A PORTION OF PROPERTY CONVEYED TO NANCY ABERNATHY STARRETTE BY WILL (FOR REFERENCE SEE DEED BOOK 2605-481) OF THE MECKLENBURG PUBLIC REGISTRY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERN RIGHT OF WAY LINE OF NORTHCHASE DRIVE AT ITS TERMINUS THENCE CROSSING THE END OF NORTHCHASE DRIVE AND CONTINUING SOUTHWESTERLY S. 33°23'20" E. 8.74 FEET TO A POINT; THENCE S. 51°20'07" W. 813.46 FEET TO A POINT NEAR THE CENTERLINE RIGHT OF WAY OF EASTWAY DRIVE EXTENTION NORTHERN LINE OF NANCY ABERNATHY STARRETTE BY WILL (SEE DEED BOOK 2605-481 OF MECKLENBURG PUBLIC REGISTRY S. 67°01'25" W. 365.91 FEET TO A POINT THE EASTERN CORNER OF HARVEY W. GOUCH & LOUISE GOUCH DEED BOOK 3116-588 OF THE MECKLENBURG PUBLIC REGISTRY THENCE WITH NORTH EASTERN LINE OF GOUCH'S PROPERTY N. 49°01'52" W. 562.10 FEET TO AN EXISTING IRON PIN THE EASTERN CORNER OF LAMBETH DRIVE RIGHT OF WAY AT ITS TERMINUS THENCE CROSSING THE END OF LAMBETH DRIVE. AND WITH THE EASTERN LINE OF TRYON FOREST LIMITED DEED BOOK 3982 PAGE 508 MAP BOOK 5 PAGE 109 OF THE MECKLENBURG PUBLIC REGISTRY N. 49°05'44" W. 282.83 FEET TO A POINT IN THE AFOREMENTIONED NANCY ABERNATHY STARRETTE PROPERTY THENCE THRU SAID PROPERTY EIGHT (8) CALLS:

- 1) N. 41°55'28" E. 169.72 FEET TO A POINT THENCE;
- 2) N. 30°49'58" E. 536.95 FEET TO A POINT;
- 3) N. 79°36'22" E. 98.01 FEET;
- 4) S. 47°34'23" E. 129.59 FEET;
- 5) WITH THE ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 AN ARC DISTANCE OF 211.35 FEET (SUBTENDED BY A CHORD BEARING S. 52°50'17" E. 211.05 FEET) TO A POINT;
- 6) WITH THE ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS 619.20 AN ARC DISTANCE OF 109.18 (SUBTENDED BY A CHORD BEARING N. 21°40'39" E. 109.04 FEET TO A POINT;
- 7) N. 26°43'44" E. 475.70 TO A POINT;
- 8) N. 41°18'11" E. 153.60 FEET TO POINT IN THE SOUTHWESTERLY LINE OF AUSTIN PARK MAP # MAP BOOK 5 PAGE 317 OF THE MECKLENBURG PUBLIC REGISTRY THENCE CONTINUING ALONG SAID LINE THREE (3) CALLS:

- 1) S. 48°10'35" E. 50.00 FEET TO A POINT;
- 2) S. 48°15'15" E. 854.42 FEET TO A POINT;
- 3) S. 47°31'44" E. 51.10 TO A POINT THE NORTHERN CORNER OF LOT 1 BLOCK 2 AS SHOWN IN MAP BOOK 23 PAGE 934 THENCE S. 33°23'20" W. 428.65 FEET TO THE POINT AND PLACE OF BEGINNING & CONTAINING 35.04 ACRES ALL AS SHOWN ON A SURVEY BY JACK R. CHRISTIAN AND ASSOCIATES DATED SEPTEMBER 3, 1998



JACK R. CHRISTIAN & ASSOCIATES -SURVEYING-

PHONE (704) 332-4763 FAX (704) 376-0127
811 CENTRAL AVE. SUITE #6 CHARLOTTE, NORTH CAROLINA

LEGAL DESCRIPTION PARCEL E

BEING A PARCEL OF LAND IN THE CITY OF CHARLOTTE MECKLENBURG COUNTY NORTH CAROLINA AND BEING A PORTION OF PROPERTY CONVEYED TO NANCY ABERNATHY STARRETTE BY WILL (FOR REFERENCE SEE DEED BOOK 2605-481) OF MECKLENBURG COUNTY REGISTRY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT AN EXISTING IRON PIN THE SOUTHERN MOST CORNER OF LOT C PROPERTY OF EUGENE PETTIS DEED BOOK 6842 PAGE 582 OF THE MECKLENBURG PUBLIC REGISTRY N. 32°57'52" E. 393.48 FEET TO A POINT; SAID LINE BEING PETTIS'S REAR LINE AND REAR LINE OF LOT B PROPERTY OF CASSIE BANKS, DEED BOOK 5110 PAGE 984 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY CONTINUING ALONG REAR LINE OF LOTS 1 & 5 BLOCK 12 KENTWOOD II MAP BOOK 14 PAGE 13 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY TO A POINT THE SOUTHEAST CORNER OF LOT 5; THENCE ALONG REAR LINE OF LOTS 6 & 7 BOOK 12 THREE (3) CALLS

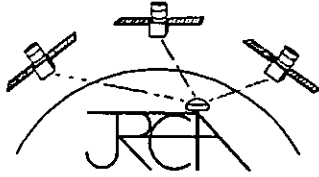
1) N. 31°29'56" E. 250.001 FEET TO A POINT
2) N. 23°00'46" E. 77.06 FEET TO A POINT
3) N. 40°09'16" E. 51.98 FEET TO THE SOUTHEAST CORNER OF LOT 8 THENCE ALONG REAR LINE OF LOT 8 N. 20°27'46" E. 67.18 FEET TO A POINT THE SOUTHERN CORNER OF LOT 15, THENCE N. 45°44'16" E. 86.84 FEET TO THE REAR EASTERN CORNER OF LOT 15 THE CENTER LINE OF BELMARK AVE. THENCE THREE (3) CALLS; ALONG REAR LOT LINE OF LOTS 2 & 1 BOOK 6 KENTWOOD II MAP BOOK 12-623 OF THE MECKLENBURG PUBLIC REGISTRY;

1) N. 36°17'16" E. 264.05 FEET TO A POINT;
2) N. 20°09'56" E. 100.00 FEET TO A POINT;
3) N. 11°36'16" E. 66.28 FEET TO A POINT IN THE TERMINUS OF CINDERELLA ROAD; THENCE N. 20°59'56" E. 39.56 FEET ALONG TERMINUS OF SAID ROAD TO A POINT IN RIGHT OF WAY; THENCE 1) N. 18°04'34" W. 38.38 FEET TO A POINT IN REAR LINE OF LOT 1 BLOCK 5 KENTWOOD II MAP BOOK 12 PAGE 117 OF MECKLENBURG COUNTY REGISTRY CONTINUING WITH SAID REAR LOT LINE OF LOTS 1, 2, & 3 THREE (3) CALLS;

1) N. 04°27'34" W. 69.77 FEET TO A POINT;
2) N. 11°39'26" E. 73.35 FEET TO A POINT;
3) N. 36°07'26" E. 24.94 TO THE NORTHWESTERN CORNER OF LOT 112 AUSTIN PARK MAP II MAP BOOK 5 PAGE 317 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY; CONTINUING ALONG REAR LINE OF LOTS 112 THRU 114 TWO (2) CALLS;

1) S. 48°07'15" E. 271.38 FEET TO A POINT;
2) S. 48°10'35" E. 603.45 FEET TO A POINT IN THE REAR LINE OF LOT 114; THENCE THRU PROPERTY OF NANCY ABERNATHY STARRETTE BY WILL (FOR REFERENCE SEE DEED BOOK 2605 PAGE 481 OF MECKLENBURG PUBLIC REGISTRY EIGHT (8) CALLS;

1) S. 41°18'11" W. 153.60 TO A POINT;
2) N. 26°43'44" E. 475.70 FEET TO A POINT;
3) WITH THE ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 619.20 AN ARC DISTANCE OF 109.18 FEET (SUBTENDED BY A CHORD BEARING S. 21°40'39" W. 109.04 FEET TO A POINT;)
4) WITH THE ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 1150.00 FEET AN ARC DISTANCE OF 211.35 FEET (SUBTENDED BY A CHORD BEARING N. 52°50'17" W. 211.05 FEET TO A POINT;
5) N. 47°34'23" W. 129.59 FEET TO A POINT;
6) S. 79°36'22" W. 98.01 FEET TO A POINT;
7) S. 30°49'58" W. 536.95 FEET TO A POINT;
8) S. 41°55'28" W. 169.72 FEET TO A POINT IN THE EASTERN LINE OF PROPERTY OWNED BY TRYON FOREST LIMITED DEED BOOK 3982-508 MAP BOOK 5-109 THENCE N. 49°05'44" W. 349.10 FEET THE POINT AND PLACE OF BEGINNING AND CONTAINING 20.76 ACRES AS SHOWN ON A SURVEY BY JACK R. CHRISTIAN AND ASSOCIATES DATED SEPTEMBER 3, 1998.



JACK R. CHRISTIAN & ASSOCIATES -SURVEYING-

PHONE (704) 332-4763 FAX (704) 376-0127
811 CENTRAL AVE. SUITE #6 CHARLOTTE, NORTH CAROLINA

LEGAL DESCRIPTION PARCELS C & F

BEING A PARCEL OF LAND IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY NORTH CAROLINA AND BEING A PORTION OF PROPERTY CONVEYED TO NANCY ABERNATHY STARRETTE, BY WILL (FOR REFERENCE SEE DEED BOOK 2605-481 OF MECKLENBURG PUBLIC REGISTRY), CHESLEY DELLINGER JR. AND RUTH G. DELLINGER BY DEED BOOK 5378-903 OF MECKLENBURG PUBLIC REGISTRY AND RAY W. FOSTER & RUTH A. FOSTER BY DEED BOOK 1531-173 OF MECKLENBURG PUBLIC REGISTRY MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT A POINT ON THE NORTH WESTERN RIGHT OF WAY OF US HIGHWAY #29, (NC HIGHWAY # 49, NORTH TRYON STREET), WHERE IT INTERSECTS WITH EASTWAY DRIVE EXTENSION AND CONTINUING THENCE WITH SAID NORTHWESTERN RIGHT OF WAY TWO (2) CALLS,

1) S. 53°21'27" W. 36.12 FEET
2) S. 55°45'54" W. 92.14 FEET TO A POINT, THE SOUTHEASTERN CORNER OF REBECCA GRIFFIN MOSER & CAROL BURKE PROPERTY DEED BOOK 1167-178 OF THE MECKLENBURG PUBLIC REGISTRY THENCE WITH MOSER/ BURKE PROPERTY LINE TWO (2) CALLS:

1) N. 26°34'18" W. 19.98 FEET, TO A POINT
2) S. 66°20'57" W. 217.60 FEET, TO A POINT TO SOUTHEASTERN CORNER OF HOWARD G. WEBB DEED BOOK-3849 PAGE 952 OF THE MECKLENBURG PUBLIC REGISTRY, THENCE WITH THE WEBB PROPERTY LINE FOUR (4) CALLS;

1) N. 27°14'16" W. 51.42 FEET TO A POINT,
2) S. 65°45'40" W. 193.94 FEET TO A POINT,
3) S. 18°42'05" E. 57.83 FEET TO A POINT,
4) S. 19°16'40" E. 361.83 FEET TO A POINT ON THE NORTHWESTERN RIGHT OF WAY OF US HIGHWAY #29 AND CONTINUING THENCE WITH THE NORTHWESTERN RIGHT OF WAY S. 68°24'50" W. 119.77 FEET TO A POINT THE SOUTHEASTERN CORNER OF WILLIAM LEE WALLACE JR. & MARGARET ANN WALLACE DEED BOOK 6872-545 OF THE MECKLENBURG PUBLIC REGISTRY TWO (2) CALLS;

1) N. 19°28'53" W. 373.43 FEET TO A POINT;
2) S. 75°05'03" W. 149.14 FEET TO A POINT THE SOUTHEASTERN CORNER OF DAY CARE PROPERTIES INC. DEED BOOK 7335-548 OF THE MECKLENBURG PUBLIC REGISTRY FOUR (4) CALLS;

1) N. 12°23'36" W. 49.97 FEET TO A POINT;
2) S. 75°31'03" W. 4.16 FEET TO A POINT;
3) N. 43°85'14" W. 37.03 FEET TO A POINT;
4) S. 75°48'00" E. 133.89 FEET TO A POINT IN THE EASTERN RIGHT OF WAY OF LAMBETH DRIVE AND CONTINUING THENCE WITH SAID RIGHT OF WAY N. 02°29'48" E., 153.07 FEET TO A POINT THE SOUTHWESTERN CORNER OF RAY W. FOSTER & RUTH A. FOSTER PROPERTY DEED BOOK 1531-173 OF THE MECKLENBURG PUBLIC REGISTRY FIVE (5) CALLS;

1) S. 84°45'46" E. 128.79 TO A POINT;
2) N. 62°43'34" E. 122.63 TO A POINT;
3) N. 46°53'43" E. 14.19 FEET TO A POINT;
4) N. 26°07'54" E. 83.79 FEET TO A POINT;
5) N. 19°46'42" W. 124.48 FEET TO A POINT THE SOUTHEASTERN CORNER OF HARVEY W. GOUCH & LOUISE GOUCH, DEED 3116-588 OF THE MECKLENBURG PUBLIC REGISTRY TWO (2) CALLS;

1) N. 19°02'18" W. 22.86 FEET TO A POINT
2) N. 44°07'11" E. 261.42 FEET TO AN EXISTING IRON PIN THE SOUTHERNMOST CORNER OF W.S. ABERNATHY PROPERTY DEED BOOK 605-481 OF THE MECKLENBURG PUBLIC REGISTRY THENCE ALONG ABERNATHY LINE S. 67°01'28" W. 333.37 FEET TO A POINT IN THE WESTERN RIGHT OF WAY LINE OF EASTWAY DRIVE EXTENSION THENCE WITH WESTERN RIGHT OF WAY LINE OF EASTWAY DRIVE EXTENSION SEVEN (7) CALLS;

1) WITH THE ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 889.56 FEET AN ARC DISTANCE OF 203.82 FEET (SUBTENDED BY A CHORD BEARING S. 16°54'48" E. 203.37 FEET TO A POINT;
2) S. 10°20'37" E. 147.62 FEET TO A POINT;
3) WITH THE ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 495.59 FEET AN ARC DISTANCE OF 150.15 FEET (SUBTENDED BY A CHORD BEARING S. 19°01'43" E., 149.58 FEET TO A POINT;
4) WITH THE ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 771.20 FEET AN ARC DISTANCE OF 140.64 FEET (SUBTENDED BY A CHORD BEARING S. 32° 55' 58" E., 140.45 FEET TO A POINT;
5) S. 38°09'26" E. 94.70 FEET TO A POINT;
6) WITH THE ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 690.91 AN ARC DISTANCE OF 78.80 FEET (SUBTENDED BY A CHORD BEARING S. 34°53'23" E. 78.76 FEET TO A POINT;
7) S. 13°15'12" E. 64.51 FEET THE POINT AND PLACE OF BEGINNING AND CONTAINING 10.54 ACRES-ALL AS SHOWN ON A SURVEY BY JACK R. CHRISTIAN AND ASSOCIATES SURVEYING DATED SEPTEMBER 3, 1998.

98-117

CERTIFICATION TO CITY COUNCIL OF NOTICE TO PROPERTY OWNERS PURSUANT TO AND IN ACCORDANCE WITH N.C. GEN. STAT. § 160A-384

I, Vanessa Stevenson, am in the position of Office Assistant IV in the Charlotte-Mecklenburg Planning Commission. I am responsible for the first-class mailing of notices in accordance with N.C. Gen. State. § 160A-384 to the owners, or owner-designated agent, of property subject to a zoning classification action and to the owners of all parcels of land abutting property subject to a zoning classification action.

I hereby certify to the City Council, that on December 30, 1998, I addressed envelopes for the first-class mailing of the notices required by N.C. Gen. Stat. § 160A-384 for the attached owners and addresses and the attached abutting owners and addresses as shown on the County tax listing; I placed the notices in the envelopes; I deposited the sealed envelopes in an official depository of the United States Postal Service for first-class mailing.

This the 30th day of December, 1998.

Name: Vanessa Stevenson
Position: Office Assistant IV

NOTIFICATION LETTERS TO ADJACENT PROPERTY OWNERS AND
NEIGHBORHOOD LEADERS

PETITION NO. 98-91³³, 98-108¹¹, 98-117⁸², 98-123¹⁶

PETITION NO. _____

MAILED COUNTY OUT ON _____ PUBLIC HEARING _____

MAILED CITY OUT ON (1ST MAILING) deferral (2ND MAILING) 12-30-98 PUBLIC HEARING _____
(Mail out 1st mailing ASAP!) Be sure to check Tax Parcel No. On back of application....

Notify mallroom two days prior to mailing Ext. 3220 (Robert or Wilimena)

VERIFY TAX PARCEL NO. USING MAINFRAME/USING MAPINFO/NEIGHBORHOODS - FOR NEIGHBORHOOD LEADERS WITHIN A ONE MILE RADIUS.

NOTE: CITY CASES AND COUNTY CASES:

- ☛ TYPE CERTIFICATION (G:\users\pc\share\notices\cert.fmt)
GIVE PACKETS TO: LYNNE CLEM (CITY CLERK) or BRENDA FREEZE (CITY CLERK)
OR JANICE PAIGE (COUNTY CLERK).
- ☛ INCLUDE NAMES & ADDRESSES OF ADJ. PROPERTY OWNERS, NGHBRHD LEADERS, AGENT, PETITIONER
- ☛ PLACE COPY IN "EACH" INDIVIDUAL PETITION FILE
- ☛ ONE COMPLETE PACKET FOR "CERTIFICATION" FILE.
- ☛ CITY PETITIONS ONLY MUST HAVE THE "PROTEST WORDING" ON BACK OF NOTICE.

NOTE: 2ND NOTICE SEND NOT LESS THAN 10 DAYS AND NO MORE THAN 25 DAYS***

CITY NOTICES

TAX PARCELS CHECKED ✓
NEIGH LEADERS CHECKED ✓
LABELS TYPED ON SYSTEM ✓
LETTERS TYPED ✓
CERTIFICATION TYPED ✓
CERTIFICATION SENT CITY CLERK ✓
ATTACHED PROTEST STATEMENT ✓
MAILED TO AGENT/PETITIONER ✓
TOTAL VOLUME MAILED 142

COUNTY NOTICES

TAX PARCELS CHECKED _____
NEIGH LEADERS CHECKED _____
LABELS TYPED ON SYSTEM _____
LETTERS TYPED _____
CERTIFICATION TYPED _____
CERTIFICATION SENT CO. CLERK _____
MAILED AGENT/PETITIONER _____
TOTAL VOLUME MAILED _____

Updated 12/12/96

C:\PAMELA\DISTPACK



CHARLOTTE - MECKLENBURG PLANNING COMMISSION

December 30, 1998

RE: Rezoning Petition No. 98-117, John B. Abernethy

Dear Interested Party:

The above referenced petition was scheduled for Zoning Committee recommendation on December 22, 1998. At that time, the Zoning Committee voted to defer the rezoning petition for 60 days to allow the Charlotte Department of Transportation (CDOT) more time to study the transportation issues associated with this petition.

The petition will be rescheduled for Zoning Committee recommendation for the 4:30 p.m., February 22, 1999 work session.

Should you have any questions, please contact me at (704) 336-2205.

Sincerely,

Shad Spencer
Land Development Planner

Agent\Petitioner\Property Owners
Petition No. 98-117

Saved as
h:\users\pc\share\zoning\1998\city\
98-117.lab

Agent:

Robert G. Young
Petition No. 98-117
1300 S. Mint Street, Suite 300
Charlotte, NC 28203

Petitioner:

John B. Abernethy
Petition No. 98-117
2321 Blue Ridge Rd., Suite A
Raleigh, NC 27607

Property Owner:

W. S. Abernethy, Jr. (Et-Al)
Petition No. 98-117
5311 N. Tryon St.
Charlotte, NC 28213

Nancy Abernathy Starrette (By Will)
Petition No. 98-117
1009 West Lady Diana Ct.
Apex, NC 27502

Ruth and Ray W. Foster
Petition No. 98-117
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Charlotte, NC 28262

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Petition No. 98-117
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Petition No. 98-117
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Adjacent Property Owners:

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Petition No. 98-117
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Minneapolis, MN 55402

ABI North Park LP
Petition No. 98-117
12 East 49th Street, #2100
New York, NY 10017

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Mary K. Gill
Petition No. 98-117
640 Bilmark Ave.
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Eugene Pettis
Petition No. 98-117
3200 Denson Pl.
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Petition No. 98-117
509 Lyles Court
Charlotte, NC 28213

Shirley Teeter & Rosalind Steele
Petition No. 98-117
501 Lyles Court
Charlotte, NC 28213

Joe D. Middleton
Petition No. 98-117
500 Lyles Court
Charlotte, NC 28213

Willie Dockery
Petition No. 98-117
5200 Springview Rd.
Charlotte, NC 28213

Priscilla F. & Willis J. Truesdale
Petition No. 98-117
5208 Springview Rd.
Charlotte, NC 28213

Lonnie Mae Sloan
Petition No. 98-117
5216 Springview Rd.
Charlotte, NC 28213

Priscilla Stone
Petition No. 98-117
700 Bilmark Ave.
Charlotte, NC 28213

Clarethra H. & Anthony Rozier
Petition No. 98-117
708 Bilmark Ave.
Charlotte, NC 28213

Joe Willie Ofaire
Petition No. 98-117
714 Bilmark Ave.
Charlotte, NC 28213

Roni R. & Timmy R. Cook
Petition No. 98-117
601 Dawn Cir.
Charlotte, NC 28213

William H. Helms
Petition No. 98-117
1118 Styx Dr.
Monroe, NC 28112

William E. Rackley
Petition No. 98-117
621 Dawn Cir.
Charlotte, NC 28213

Grace Swinson Petition No. 98-117
Mrs. L. W. (By Ent)
629 Dawn Cir.
Charlotte, NC 28213

Edith M. Freeman
Petition No. 98-117
637 Dawn Cir.
Charlotte, NC 28213

Max M. Miller (Et Al)
Petition No. 98-117
633 Dawn Cir.
Charlotte, NC 28213

Barbara B. & Jerome L. Levin
Petition No. 98-117
5019 Carmel Prk. Dr.
Charlotte, NC 28211

Royal Cayco Investments, Ltd.
Petition No. 98-117
P.O. Box 34351
Charlotte, NC 28234

Billy E. Harris
Petition No. 98-117
P.O. Box 622
Chiefland, FL 32626

Velma Love (By Entirety)
Petition No. 98-117
725 Dawn Cir.
Charlotte, NC 28213

Willarreet & Reece McDonald Hartsell
Petition No. 98-117
611 Austin Dr.
Charlotte, NC 28213

KLS, Inc. Pet. No. 98-117
c/o Frank L. Schrimsher
701 Sebena Pl.
Charlotte, NC 28211

TDK, Inc.
Petition No. 98-117
5635 North Tryon St.
Charlotte, NC 28213

Aristidis Katopodis
Petition No. 98-117
9902 Lottie Lane
Charlotte, NC 28262

Corporate Property Assoc., #6
c/o Auto Shack Inc., #4040
P.O. Box 2198
Memphis, TN 38101

Young Realty Co., Inc.
c/o Young Ford, Inc.
P.O. Box 32275
Charlotte, NC 28232

Keffer Properties Limited Partnership
Petition No. 98-117
8200 E. Independence Blvd.
Charlotte, NC 28227

Jeffrey & Diane Hunt
Petition No. 98-117
6005 Greystone Drive
Matthews, NC 28105

Tryon Forest Limited
c/o Easley McCaleb & Assoc.
Post Office Box 98309
Atlanta, GA 30359

N'hood Leaders:

John Neilson
Autumnwood Community Assoc.
1016 Autumnwood Lane
Charlotte, NC 28213

Alfreda Barringer
Hidden Valley CDC
4540 Springview Road
Charlotte, NC 28213

Ronald Hare
Hidden Valley Comm. Assoc.
931 Log Cabin Road
Charlotte, NC 28213

Charlie Williams
Hidden Valley Political Action Comm
1216 Log Cabin Road
Charlotte, NC 28213

Samuel Love
Hidden Valley Political Action Comm
6417 Heather Brook lane
Charlotte, NC 28213

Priscilla Duncan
Hidden Valley Zoning committee
6423 Heatherbrook Avenue
Charlotte, NC 28213

Brenda Barger
Historic North Carlotte
3036 Yadkin Avenue
Charlotte, NC 28205

Sally Martin
Plaza-Shamrock Neigh. Org.
1930 Academy Street
Charlotte, NC 28205

Elaine Bailes
Ritch Avenue HOA
3400 Ritch Avenue
Charlotte, NC 28206

Julian R. Underwood
Shannon Park Neigh. Assoc.
5424 Galway Drive
Charlotte, NC 28215

CERTIFICATION TO CITY COUNCIL OF NOTICE TO PROPERTY OWNERS PURSUANT TO AND IN ACCORDANCE WITH N.C. GEN. STAT. § 160A-384

98-117

I, Vanessa Stevenson, am in the position of Office Assistant IV in the Charlotte-Mecklenburg Planning Commission. I am responsible for the first-class mailing of notices in accordance with N.C. Gen. State. § 160A-384 to the owners, or owner-designated agent, of property subject to a zoning classification action and to the owners of all parcels of land abutting property subject to a zoning classification action.

I hereby certify to the City Council, that on December 18, 1998, I addressed envelopes for the first-class mailing of the notices required by N.C. Gen. Stat. § 160A-384 for the attached owners and addresses and the attached abutting owners and addresses as shown on the County tax listing; I placed the notices in the envelopes; I deposited the sealed envelopes in an official depository of the United States Postal Service for first-class mailing.

This the 18th day of December, 1998.

Name: Vanessa Stevenson

Position: Office Assistant IV

NEIGHBORHOOD LEADERS

PETITION NO. ⁽³⁶⁾ 98-94, ⁽¹¹⁾ 98-108, ⁽³⁰⁾ 98-112, ⁽²⁹⁾ 98-115, ⁽⁸²⁾ 98-117, ⁽¹³⁾ 98-118, ⁽¹⁰⁾ 98-119, ⁽⁹⁸⁾ 98-120,

PETITION NO. ⁽⁶⁸⁾ 98-121, ⁽¹⁶⁾ 98-123, ⁽¹⁷⁾ 98-124, ⁽²⁹⁾ 98-125, ⁽³⁰⁾ 98-126

MAILED COUNTY OUT ON _____ PUBLIC HEARING _____

MAILED CITY OUT ON (1ST MAILING) _____ (2ND MAILING 12-18-98) PUBLIC HEARING 12-22-98
(Mail out 1st mailing ASAP!) Be sure to check Tax Parcel No. On back of application....

Notify mailroom two days prior to mailing Ext. 3220 (Robert or Wilimena)

VERIFY TAX PARCEL NO. USING MAINFRAME/USING MAPINFO/NEIGHBORHOODS - FOR NEIGHBORHOOD LEADERS WITHIN A ONE MILE RADIUS.

NOTE: CITY CASES AND COUNTY CASES:

☛ TYPE CERTIFICATION (G:\users\pcl\share\notices\cert.fmt)
GIVE PACKETS TO: LYNNE CLEM (CITY CLERK) or BRENDA FREEZE (CITY CLERK)
OR JANICE PAIGE (COUNTY CLERK).

☛ INCLUDE NAMES & ADDRESSES OF ADJ. PROPERTY OWNERS, NGHBRHD LEADERS, AGENT, PETITIONER

☛ PLACE COPY IN "EACH" INDIVIDUAL PETITION FILE

☛ ONE COMPLETE PACKET FOR "CERTIFICATION" FILE.

☛ CITY PETITIONS ONLY MUST HAVE THE "PROTEST WORDING" ON BACK OF NOTICE.

NOTE: 2ND NOTICE, SEND NOT LESS THAN 10 DAYS AND NO MORE THAN 25 DAYS***

CITY NOTICES

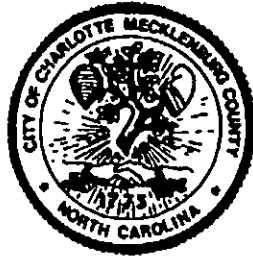
COUNTY NOTICES

TAX PARCELS CHECKED _____
NEIGH LEADERS CHECKED _____
LABELS TYPED ON SYSTEM _____
LETTERS TYPED _____
CERTIFICATION TYPED _____
CERTIFICATION SENT CITY CLERK _____
ATTACHED PROTEST STATEMENT _____
MAILED TO AGENT/PETITIONER _____
TOTAL VOLUME MAILED 469

TAX PARCELS CHECKED _____
NEIGH LEADERS CHECKED _____
LABELS TYPED ON SYSTEM _____
LETTERS TYPED _____
CERTIFICATION TYPED _____
CERTIFICATION SENT CO. CLERK _____
MAILED AGENT/PETITIONER _____
TOTAL VOLUME MAILED _____

Updated 12/12/96

C:\PAMELA\DISTPACK



CHARLOTTE - MECKLENBURG PLANNING COMMISSION

December 16, 1998

Dear Agent/Petitioner/Property Owner:

You recently received a Notice of A Rezoning Public Hearing to be held in December, 1998. The notice included information on other meetings that pertain to the proposed rezoning petition. This letter is to inform you that the **Zoning Committee Work Session** date has been changed from December 28, 1998 to the following:

DATE: December 22, 1998

PLACE Charlotte-Mecklenburg Government Center,
600 East Fourth Street,
8th Floor Conference Room

TIME: 4:30 P.M.

The Zoning Committee Work Session is a meeting, which follows the Public Hearing, at which the Zoning Committee renders their recommendation. This is a public meeting open to any interested parties but is not a hearing.

If you need further information, please call me at 336-8310 between 8:00 A.M. and 5:00 P.M., Monday through Friday.

Sincerely,

Sonja S. Sanders
Land Development Planner

Agent\Petitioner\Property Owners
Petition No. 98-117

Saved as
h:\users\pc\share\zoning\1998\city\
98-117.lab

Agent: Robert G. Young
Petition No. 98-117
1300 S. Mint Street, Suite 300
Charlotte, NC 28203

Petitioner: John B. Abernethy
Petition No. 98-117
2321 Blue Ridge Rd., Suite A
Raleigh, NC 27607

Property Owner: W. S. Abernethy, Jr. (Et-Al)
Petition No. 98-117
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Nancy Abernethy Starrette (By Will)
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Petition No. 98-117
501 Lyles Court
Charlotte, NC 28213

Joe D. Middleton
Petition No. 98-117
500 Lyles Court
Charlotte, NC 28213

Willie Dockery
Petition No. 98-117
5200 Springview Rd.
Charlotte, NC 28213

Priscilla F. & Willis J. Truesdale
Petition No. 98-117
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Charlotte, NC 28213

Lonnie Mae Sloan
Petition No. 98-117
5216 Springview Rd.
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Petition No. 98-117
700 Bilmark Ave.
Charlotte, NC 28213

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708 Bilmark Ave.
Charlotte, NC 28213

Joe Willie Ofaire
Petition No. 98-117
714 Bilmark Ave.
Charlotte, NC 28213

Roni R. & Timmy R. Cook
Petition No. 98-117
601 Dawn Cir.
Charlotte, NC 28213

William H. Helms
Petition No. 98-117
1118 Styx Dr.
Monroe, NC 28112

William E. Rackley
Petition No. 98-117
621 Dawn Cir.
Charlotte, NC 28213

Grace Swinson Petition No. 98-117
Mrs. L. W. (By Ent)
629 Dawn Cir.
Charlotte, NC 28213

Edith M. Freeman
Petition No. 98-117
637 Dawn Cir.
Charlotte, NC 28213

Max M. Miller (Et Al)
Petition No. 98-117
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Barbara B. & Jerome L. Levin
Petition No. 98-117
5019 Carmel Prk. Dr.
Charlotte, NC 28211

Royal Cayco Investments, Ltd.
Petition No. 98-117
P.O. Box 34351
Charlotte, NC 28234

Billy E. Harris
Petition No. 98-117
P.O. Box 622
Chiefland, FL 32626

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Charlotte, NC 28213

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Petition No. 98-117
611 Austin Dr.
Charlotte, NC 28213

KLS, Inc. Pet. No. 98-117
c/o Frank L. Schrimsher
701 Sebena Pl.
Charlotte, NC 28211

TDK, Inc.
Petition No. 98-117
5635 North Tryon St.
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Petition No. 98-117
9902 Lottie Lane
Charlotte, NC 28262

Corporate Property Assoc., #6
c/o Auto Shack Inc., #4040
P.O. Box 2198
Memphis, TN 38101

Young Realty Co., Inc.
c/o Young Ford, Inc.
P.O. Box 32275
Charlotte, NC 28232

Keffer Properties Limited Partnership
Petition No. 98-117
8200 E. Independence Blvd.
Charlotte, NC 28227

Jeffrey & Diane Hunt
Petition No. 98-117
6005 Greystone Drive
Matthews, NC 28105

Tryon Forest Limited
c/o Easley McCaleb & Assoc.
Post Office Box 98309
Atlanta, GA 30359

N'hood Leaders:

John Neilson
Autumnwood Community Assoc.
1016 Autumnwood Lane
Charlotte, NC 28213

Alfreda Barringer
Hidden Valley CDC
4540 Springview Road
Charlotte, NC 28213

Ronald Hare
Hidden Valley Comm. Assoc.
931 Log Cabin Road
Charlotte, NC 28213

Charlie Williams
Hidden Valley Political Action Comm
1216 Log Cabin Road
Charlotte, NC 28213

Samuel Love
Hidden Valley Political Action Comm
6417 Heather Brook lane
Charlotte, NC 28213

Priscilla Duncan
Hidden Valley Zoning committee
6423 Heatherbrook Avenue
Charlotte, NC 28213

Brenda Barger
Historic North Carlotte
3036 Yadkin Avenue
Charlotte, NC 28205

Sally Martin
Plaza-Shamrock Neigh. Org.
1930 Academy Street
Charlotte, NC 28205

Elaine Bailes
Ritch Avenue HOA
3400 Ritch Avenue
Charlotte, NC 28206

Julian R. Underwood
Shannon Park Neigh. Assoc.
5424 Galway Drive
Charlotte, NC 28215

CERTIFICATION TO CITY COUNCIL OF NOTICE TO PROPERTY OWNERS PURSUANT TO AND IN ACCORDANCE WITH N.C. GEN. STAT. § 160A-384

I, Vanessa Stevenson, am in the position of Office Assistant IV in the Charlotte-Mecklenburg Planning Commission. I am responsible for the first-class mailing of notices in accordance with N.C. Gen. State. § 160A-384 to the owners, or owner-designated agent, of property subject to a zoning classification action and to the owners of all parcels of land abutting property subject to a zoning classification action.

I hereby certify to the City Council, that on October 21, 1998, I addressed envelopes for the first-class mailing of the notices required by N.C. Gen. Stat. § 160A-384 for the attached owners and addresses and the attached abutting owners and addresses as shown on the County tax listing; I placed the notices in the envelopes; I deposited the sealed envelopes in an official depository of the United States Postal Service for first-class mailing.

This the 21st day of October, 1998.

Name: Vanessa Stevenson

Position: Office Assistant IV

NOTIFICATION LETTERS TO RESIDENTS AND NEIGHBORHOOD LEADERS

PETITION NO. ²¹98-108, ²⁹98-115, ³⁴98-116, ⁸⁰98-117, ²⁸98-118, ³¹98-119, ²⁴¹98-120
PETITION NO. ⁶⁶98-121, ⁵¹98-122, ²⁴98-123, ³⁴98-124, ³⁸98-125, ³⁸98-126

MAILED COUNTY OUT ON _____ PUBLIC HEARING _____

MAILED CITY OUT ON (1ST MAILING) 10-21-98 (2ND MAILING _____) PUBLIC HEARING 11-21-98
(Mail out 1st mailing ASAP!) Be sure to check Tax Parcel No. On back of application....

Notify mallroom two days prior to mailing Ext. 3220 (Robert or Willimena)

VERIFY TAX PARCEL NO. USING MAINFRAME/USING MAPINFO/NEIGHBORHOODS - FOR NEIGHBORHOOD LEADERS WITHIN A ONE MILE RADIUS.

NOTE: CITY CASES AND COUNTY CASES:

- ☛ TYPE CERTIFICATION (G:\users\pcl\share\notices\cert.fmt)
- GIVE PACKETS TO: LYNNE CLEM (CITY CLERK) or BRENDA FREEZE (CITY CLERK) OR JANICE PAIGE (COUNTY CLERK).
- ☛ INCLUDE NAMES & ADDRESSES OF ADJ. PROPERTY OWNERS, NGHBRHD LEADERS, AGENT, PETITIONER
- ☛ PLACE COPY IN "EACH" INDIVIDUAL PETITION FILE
- ☛ ONE COMPLETE PACKET FOR "CERTIFICATION" FILE.
- ☛ CITY PETITIONS ONLY MUST HAVE THE "PROTEST WORDING" ON BACK OF NOTICE.

NOTE: 2ND NOTICE SEND NOT LESS THAN 10 DAYS AND NO MORE THAN 25 DAYS***

CITY NOTICES

TAX PARCELS CHECKED ✓
 NEIGH. LEADERS CHECKED ✓
 LABELS TYPED ON SYSTEM ✓
 LETTERS TYPED ✓
 CERTIFICATION TYPED ✓
 CERTIFICATION SENT CITY CLERK ✓
 ATTACHED PROTEST STATEMENT ✓
 MAILED TO AGENT/PETITIONER ✓
 TOTAL VOLUME MAILED 715

COUNTY NOTICES

TAX PARCELS CHECKED _____
 NEIGH. LEADERS CHECKED _____
 LABELS TYPED ON SYSTEM _____
 LETTERS TYPED _____
 CERTIFICATION TYPED _____
 CERTIFICATION SENT CO. CLERK _____
 MAILED AGENT/PETITIONER _____
 TOTAL VOLUME MAILED _____

Updated 12/12/96

C:\PAMELA\DISTPACK

Agent\Petitioner\Property Owners
Petition No. 98-~~116~~ 117

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98-117.lab

Agent:

Robert G. Young
Petition No. 98-117
122 Cherokee Road
Charlotte, NC 28207

Petitioner:

John B. Abernethy
Petition No. 98-117
2321 Blue Ridge Rd., Suite A
Raleigh, NC 27607

Property Owner:

W. S. Abernethy, Jr. (Et-Al)
Petition No. 98-117
5311 N. Tryon St.
Charlotte, NC 28213

Nancy Abernethy Starrette (By Will)
Petition No. 98-117
1009 West Lady Diana Ct.
Apex, NC 27502

Ruth and Ray W. Foster
Petition No. 98-117
2015 Burgandy Dr.
Charlotte, NC 28262

Ruth G. And Chesley Y. Dellinger, Jr.
Petition No. 98-117
6221 Wodbridge Rd.
Charlotte, NC 28212

Penninger Homes, Inc.
Petition No. 98-117
2370 Old Cedarwood Dr.
Harrisburg, NC 28075

Adjacent Property Owners:

G. Howard Webb
Petition No. 98-117
1300 Queens Rd., Apt. 418
Charlotte, NC 28207

Edward Tarbush
Petition No. 98-117
400 Lambeth Dr., #29
Charlotte, NC 28213

Margaret A. & William L. Wallace, Jr.
Petition No. 98-117
5115 N. Tryon St.
Charlotte, NC 28213

Louise and Harvey Gouch
Petition No. 98-117
Rt. 1, Box 297D
Davidson, NC 28036

Day Care Properties, Inc.
Petition No. 98-117
225 Lambeth Dr.
Charlotte, NC 28213

Estelle W. & Arnold R. Fuller, Sr.
Petition No. 98-117
5340 Grafton Dr.
Charlotte, NC 28215

William S. Abernethy, Jr. (Life Estate)
Petition No. 98-117
5311 N. Tryon St.
Charlotte, NC 28213

Geraldine and Jack Fields
Petition No. 98-117
4918 Springview Rd.
Charlotte, NC 28213

Juanita H. and Joseph W. Jones
Petition No. 98-117
4924 Springview Rd.
Charlotte, NC 28213

William H. Trotter
Petition No. 98-117
1515 Mockingbird Ln., #900
Charlotte, NC 28209

Doris J. & Robert C. Moody
Petition No. 98-117
5008 Springview Rd.
Charlotte, NC 28213

Carletta A. & Randolph L. Freeman
Petition No. 98-117
715 East 5th Street
Charlotte, NC 28202

Agnes W. & Grady Boswell
Petition No. 98-117
508 Lyles Ct.
Charlotte, NC 28213

Annie V. & Renken H. Berlic
Petition No. 98-117
5146 Springview Rd.
Charlotte, NC 28213

Alonzo Wilson
Petition No. 98-117
5416 Cinderella Rd.
Charlotte, NC 28213

Monrovia D. & Lester G. Williams
Petition No. 98-117
609 Bilmack Ave.
Charlotte, NC 28213

Mary Ann W. & Lynn Alexander
Petition No. 98-117
601 Bilmack Ave.
Charlotte, NC 28213

TPM Properties (LTD F/P)
c/o Thomas P. Moore, III Pet.No.98-117
3816 Mooreland Farms Rd.
Charlotte, NC 28226

Herman Lemuel Furr (By Ent)
Petition No. 98-117
3139 Dublin Rd.
Charlotte, NC 28208

Sandra E. & Milton Clyburn
Petition No. 98-117
738 Bilmak Ave.
Charlotte, NC 28213

Kathleen W. & Mack T. Givens
Petition No. 98-117
746 Bilmak Ave.
Charlotte, NC 28213

Reb Pat Leasing
Petition No. 98-117
Post Office Box 240525
Charlotte, NC 28224

M A P Realty Company LLC
Petition No. 98-117
222 Grand Ave.
Englewood, NJ 07631

Dayton Hudson Corp
Petition No. 98-117
777 Nicollet Mall
Minneapolis, MN 55402

ABI North Park LP
Petition No. 98-117
12 East 49th Street, #2100
New York, NY 10017

W J B Realty L P
Petition No. 98-117
1201 Elm Street
Dallas, TX 75270

Giacomo Brucia (Et-Al)
Petition No. 98-117
5130 N. Tryon St.
Charlotte, NC 28213

Spiridoula Kakouras
Petition No. 98-117
3700 Stokes Ave.
Charlotte, NC 28210

Four Shield, Inc.
c/o Meineke Discount Mufflers
2100 Rexford Rd., #306
Charlotte, NC 28211

James R. Guy, Jr.
Guy Properties Pet.No. 98-117
5813 N.C. Hy. 74 West
Monroe, NC 28110

Maria S. & Serafim Housiadas
Petition No. 98-117
6536 Folger Dr.
Charlotte, NC 28270

Rebecca G. Moser & Carol Burke
Petition No. 98-117
P. O. Box 1544
Mount Airy, NC 27030

George A. Wallace
Petition No. 98-117
600 Bilmak Ave.
Charlotte, NC 28213

Mary K. Gill
Petition No. 98-117
640 Bilmak Ave.
Charlotte, NC 28213

Eugene Pettis
Petition No. 98-117
3200 Denson Pl.
Charlotte, NC 28215

Cassie W. Banks
Petition No. 98-117
4944 Springview Rd.
Charlotte, NC 28213

Janice A. Bryant
Petition No. 98-117
5000 Springview Rd.
Charlotte, NC 28213

Louise R. & Harry Ezell
Petition No. 98-117
509 Lyles Court
Charlotte, NC 28213

Shirley Teeter & Rosalind Steele
Petition No. 98-117
501 Lyles Court
Charlotte, NC 28213

Joe D. Middleton
Petition No. 98-117
500 Lyles Court
Charlotte, NC 28213

Willie Dockery
Petition No. 98-117
5200 Springview Rd.
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Priscilla F. & Willis J. Truesdale
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5208 Springview Rd.
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5216 Springview Rd.
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Priscilla Stone
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700 Bilmak Ave.
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708 Bilmak Ave.
Charlotte, NC 28213

Joe Willie Ofaire
Petition No. 98-117
714 Bilmak Ave.
Charlotte, NC 28213

Roni R. & Timmy R. Cook
Petition No. 98-117
601 Dawn Cir.
Charlotte, NC 28213

William H. Helms
Petition No. 98-117
1118 Styx Dr.
Monroe, NC 28112

William E. Rackley
Petition No. 98-117
621 Dawn Cir.
Charlotte, NC 28213

Grace Swinson Petition No. 98-117
Mrs. L. W. (By Ent)
629 Dawn Cir.
Charlotte, NC 28213

Edith M. Freeman
Petition No. 98-117
637 Dawn Cir.
Charlotte, NC 28213

Max M. Miller (Et Al)
Petition No. 98-117
633 Dawn Cir.
Charlotte, NC 28213

Barbara B. & Jerome L. Levin
Petition No. 98-117
5019 Carmel Prk. Dr.
Charlotte, NC 28211

Royal Cayco Investments, Ltd.
Petition No. 98-117
P.O. Box 34351
Charlotte, NC 28234

Billy E. Harris
Petition No. 98-117
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Chiefland, FL 32626

Velma Love (By Entirety)
Petition No. 98-117
725 Dawn Cir.
Charlotte, NC 28213

Willarreet & Reece McDonald Hartsell
Petition No. 98-117
611 Austin Dr.
Charlotte, NC 28213

KLS, Inc. Pet. No. 98-117
c/o Frank L. Schrimsher
701 Sebena Pl.
Charlotte, NC 28211

TDK, Inc.
Petition No. 98-117
5635 North Tryon St.
Charlotte, NC 28213

Aristidis Katopodis
Petition No. 98-117
9902 Lottie Lane
Charlotte, NC 28262

Corporate Property Assoc., #6
c/o Auto Shack Inc., #4040
P.O. Box 2198
Memphis, TN 38101

Young Realty Co., Inc.
c/o Young Ford, Inc.
P.O. Box 32275
Charlotte, NC 28232

Keffer Properties Limited Partnership
Petition No. 98-117
8200 E. Independence Blvd.
Charlotte, NC 28227

N'hood Leaders:

John Neilson
Autumnwood Community Assoc.
1016 Autumnwood Lane
Charlotte, NC 28213

Alfreda Barringer
Hidden Valley CDC
4540 Springview Road
Charlotte, NC 28213

Ronald Hare
Hidden Valley Comm. Assoc.
931 Log Cabin Road
Charlotte, NC 28213

Charlie Williams
Hidden Valley Political Action Comm
1216 Log Cabin Road
Charlotte, NC 28213

Samuel Love
Hidden Valley Political Action Comm
6417 Heather Brook lane
Charlotte, NC 28213

Priscilla Duncan
Hidden Valley Zoning committee
6423 Heatherbrook Avenue
Charlotte, NC 28213

Brenda Barger
Historic North Carhlotte
3036 Yadkin Avenue
Charlotte, NC 28205

Sally Martin
Plaza-Shamrock Neigh. Org.
1930 Academy Street
Charlotte, NC 28205

Elaine Bailes
ritch Avenue HOA
3400 Ritch Avenue
Charlotte, NC 28206

Julian R. Underwood
Shannon Park Neigh. Assoc.
5424 Galway Drive
Charlotte, NC 28215



CHARLOTTE - MECKLENBURG PLANNING COMMISSION

October 21, 1998

NOTICE OF A REZONING PUBLIC HEARING

This letter serves as notification of a pending rezoning petition on property described below (See Cross-hatched section of map). A public hearing with the Charlotte City Council has been scheduled for Monday, December 21, 1998 at 6:00 P.M. in the Charlotte-Mecklenburg Government Center, Meeting Chambers, at 600 East Fourth Street. You are strongly encouraged to attend the open house forum and/or the public hearing, if you have any concerns regarding this request. The purpose of the open house forum is to provide an opportunity for discussion between the petitioner and nearby property owners or other interested parties.

Other meetings pertaining to this petition will be held at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, 8th Floor Conference Room.

City Open House Forum
Zoning Committee Work Session

Date: November 9, 1998
Date: December 28, 1998

Time: 5:00 P.M. to 6:00 P.M.
Time: 4:30 P.M.

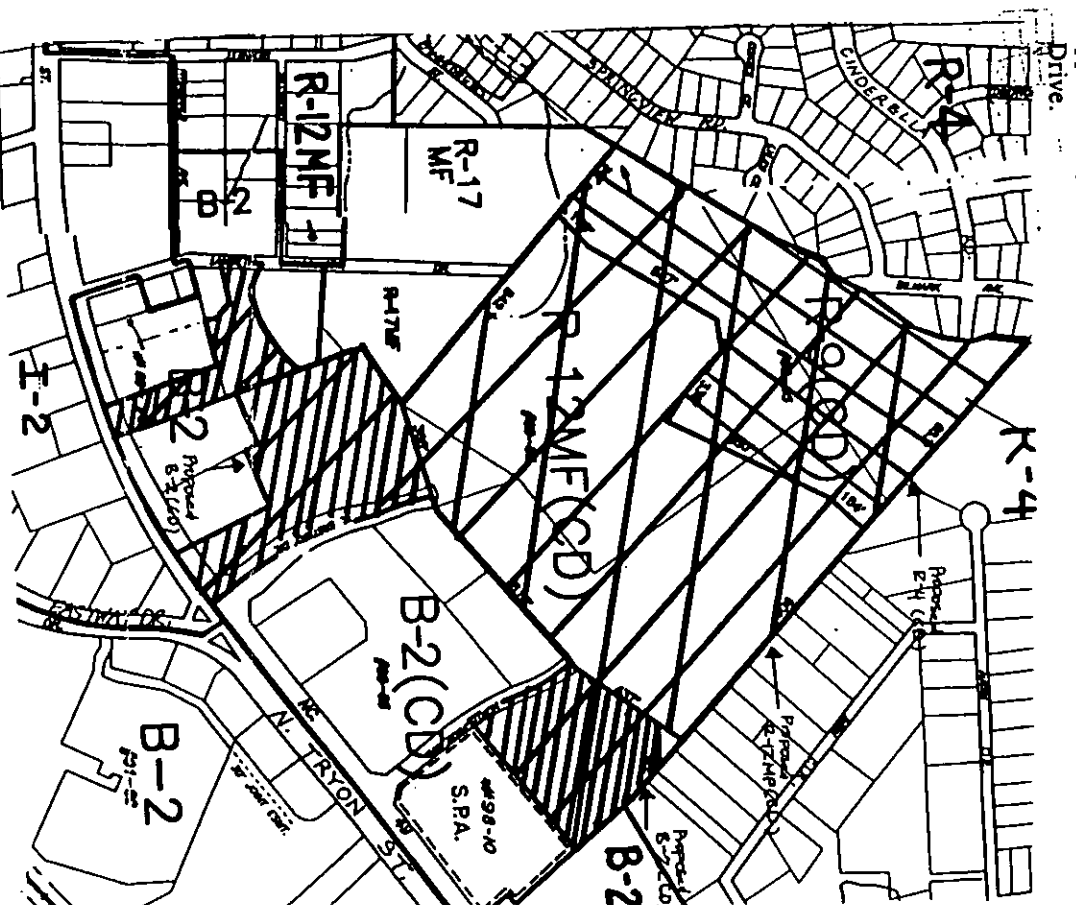
Petition #98-117

Petitioner: John B. Abernethy

Existing Zoning: R-9(CD)(conditional, single family residential), R-12MF(CD) (conditional, multi-family residential), B-2 (general business), and B-2(CD) (conditional, general business)

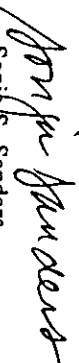
Requested Zoning: R-4(CD) (conditional, single family residential, 4 dwelling units per acre), R-12MF(CD) (conditional, multi-family residential), and B-2(CD) (conditional, general business) S. P. A.

Property Location: Approximately 73.5 acres located on the north side of North Tryon Street opposite the intersection with Eastway Drive.



If you have any questions regarding this petition, please call Tom Drake, Tim Manes or myself at 336-2205.

Sincerely,


Sonja S. Sanders
Land Development Planner

- Open House Forum:** Informal public information meeting with the agent and/or petitioner.
- Public Hearing:** Proponents and opponents of a proposed rezoning petition present comments before the Charlotte City Council.
- Zoning Committee Work Session:** Following the public hearing, the Zoning Committee of the Planning Commission renders their recommendation. This is a public meeting open to any interested parties but is not a hearing.

Decisions on City rezoning petitions are rendered on the third Monday of the month if no deferral has occurred.

THE PROTEST PETITION

Anyone desiring to file a written petition of protest intended to invoke the City Council's 3/4 majority vote rule must file such a petition with the City Clerk at least two (2) normal working days (excluding Saturdays, Sundays, and legal Holidays) prior to the date established for a public hearing on the proposed change of amendment. For example, for hearings on Monday, all protest petitions must be filed no later than 5:00 PM on the preceding Wednesday. The 3/4 majority rule requires that 3/4 of those eligible to vote among the City Council and Mayor must vote affirmatively in order for a petition to receive approval. The 3/4 majority rule may not apply to site plan amendments to conditional districts in some instances. For protest petition forms and more information on the 3/4 rule, you may call the City Clerk's Office at 336-2247.

Speakers' List
Petition No. 98-117

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98-117.spkrs

Bob Young
Petition No. 98-117
1300 South Mint Street, Suite 300
Charlotte, North Carolina 28203

Howard Webb
Petition No. 98-117
1300 Queens Road #418
Charlotte, North Carolina 28207

Karl Park
Petition No. 98-117
5205 North Tryon Street
Charlotte, North Carolina 28213

Carol Burke
Petition No. 98-117
Post Office Box 1544
Mt. Airy, North Carolina 27030

Bill Wallace
Petition No. 98-117
5101 North Tryon Street
Charlotte, North Carolina 28213

CITY CD

Petition No.98-117
John B. Abernethy

ORDINANCE NO. _____

APPROVED BY CITY COUNCIL

DATE June 21, 1999

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 73.5 acres located on the north side of Tryon Street, opposite the intersection with Eastway Drive.

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on December 21, 1998; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-9(CD), R-12MF(CD), B-2 and B-2(CD) to R-4(CD), R-5(CD) and B-2(CD) S.P.A. on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

-continued-

APPROVED AS TO FORM:

City Attorney

I, _____, _____ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of June, 1999, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, Page(s) _____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 1999.

Petition No. 98-117
John B. Abernethy

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to John B. Abernethy and successors-in-interest of the property described as tax parcel 089-11-13, 09, 11, 089-103-03, 089-121-02, 03 and portion of 089-111-07 and described in detail further in the ordinance, identified below, approved by the City Council.

In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of R-4(CD), R-5(CD), and B-2(CD) S.P.A. on the official zoning map.

This parallel conditional use permit is subject to and incorporates by reference all of the following: the schematic plan, the supporting text, all attached conditions, and Chapter 6: Part 1 and 2 of the City of Charlotte Zoning Ordinance, all of which preceding are binding upon the property and all subsequent development and use of the property. A failure to comply with any of the above may result in revocation of the parallel conditional use permit in accordance with the authority of the City Council under Chapter 6: Part 1 of the City of Charlotte Zoning Ordinance.

Three years from the date of approval of this parallel conditional use permit, the Planning Commission shall determine if active efforts to develop in accordance with approved plans have occurred. If active efforts to develop have not occurred, then a report shall be forwarded to the City Council which may recommend that action be initiated to remove the parallel conditional use district in accordance with Chapter 6: Part 1.

Petition #: 98-117

Petitioner: John B. Abernethy

Hearing Date: December 21, 1998

Classification (Existing): R-9(CD), R-12MF(CD), B-2, and B-2(CD)

Zoning Classification (Requested): R-4(CD), R-12MF(CD), and B-2(CD) S.P.A.

Location: Approximately 73.5 acres located on the north side of North Tryon Street opposite the intersection with Eastway Drive.

