

MEMORANDUM

TO: Chapel Hill Planning Commission

FROM: Gene Poveromo, Development Manager
Kay Pearlstein, Senior Planner

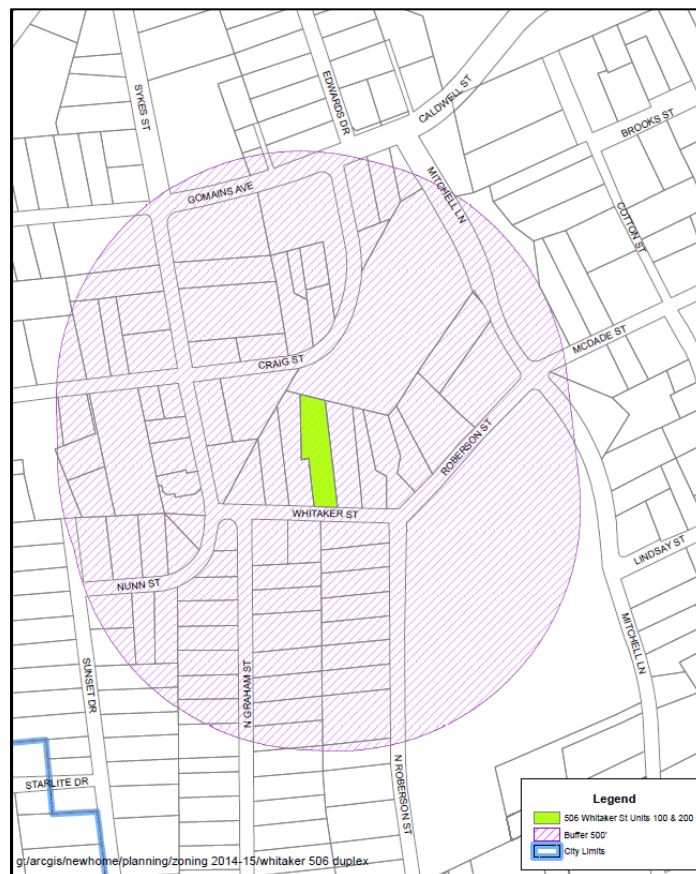
SUBJECT: Site Plan Review Application – 506-100 Whitaker Street, Units 100 and 200,
Northside Neighborhood Conservation District (File No. 15-004)

DATE: February 17, 2015

We have completed our review of the Site Plan Review application noted above. We recommend approval with conditions.

INTRODUCTION

This application, submitted by Habitat for Humanity of Orange County, proposes to construct a new duplex with 2,250 square feet, 1,125 sq. ft. each side, on a 13,644 square foot lot (.3 acres). Each unit in the proposed one-story duplex includes two bedrooms, bathroom, and laundry room. The property is located in the Northside Neighborhood Conservation District and within the Residential-3 (R-3) zoning district.



BACKGROUND

Community Design Commission: The Land Use Management Ordinance requires the Community Design Commission to approve duplex building elevations and site plans for compliance with duplex design guidelines and also to review all concept plans for single-family and multi-family developments with additions proposing more than 600 sq. ft. in Northside and Pine Knolls Neighborhood Conservation Districts. A Concept Plan and duplex building elevation and site plan applications were reviewed and approved by the Community Design Commission at its meeting on January 27, 2015.

A summary of the Community Design Commission's review of the Concept Plan for 506-100 Whitaker Street comments are provided below:

- Preserve as many large trees as possible;
- The Commission supported the location of the two front doors and color palette proposed for the exterior; and
- Suggested consideration of providing a sidewalk from the front door to Whitaker Street.

The duplex was approved with the following two conditions:

- 1) Use a fence along the western property line not landscaping to provide separation between the driveway and adjacent house and
- 2) Use "can" lighting under the front porch.

The two conditions are included in Resolution A.

Board of Adjustment: The applicant requested two dimensional variances from the Board of Adjustment to the Northside NCD standards: 1) maximum floor area; and 2) minimum interior eastern setback. On February 4, 2015 the Board of Adjustment approved both variance requests to: increase the maximum floor area for the building by 500 sq. ft. to 2,250 sq. ft.; and 2) allow a 4-foot encroachment into the eastern 8-foot setback.

EVALUATION

Northside Neighborhood Conservation District Site Plan Review applications are evaluated based on compliance with the procedural and dimensional requirements of the Land Use Management Ordinance; and the design standards in the Council approved Northside Neighborhood Conservation District Design Guidelines.

Land Use Management Ordinance:

We believe that the proposed application, with the conditions proposed in the attached resolution, meets all regulations and standards of the Land Use Management Ordinance pertaining to the Northside Neighborhood Conservation District. A checklist of these regulations and standards can be found as Attachment 1.

We also note that because this is a duplex, the maximum number of vehicles that could be parked on this lot is four. As required by the Land Use Management Ordinance, the proposed parking area must be clearly delineated and marked as well as maintained in a safe and sanitary condition.

RECOMMENDATION

We recommend that the Planning Commission adopt Resolution A, approving the Site Plan Review application, with the stipulations noted. We recommend that the applicant provide an as-built survey prior to receiving a Building Final for a Certificate of Occupancy.

Following Planning Commission approval, the applicant will proceed with a Zoning Compliance Permit application, demonstrating compliance with the Land Use Management Ordinance and supplemental conditions identified in the attached resolution.

ATTACHMENTS

1. Checklist
2. Resolution A
3. Resolution B
4. Applicant's Materials

Checklist of Regulations and Standards

506-100 Whitaker Street, Units 100 and 200	STAFF EVALUATION		
Residential-3 Zoning District Northside Neighborhood Conservation District	STANDARD	APPLICATION	COMPLIANCE WITH ORDINANCE
Land Use Management Ordinance Standards:			
Setbacks	Street – 24 feet Interior – 8 feet Solar – 11 feet	Street – 30 feet Interior – 4 feet*Variance from BOA Solar – 11 ½ ft.	√ 4-foot with variance approval from the Board of Adjustment (BOA)
Floor Area Ratio	0.25	0.25	√
Floor Area (maximum)	1,750 sq. ft.	2,250 sq. ft.* with Variance from the BOA	√ with variance from the Board of Adjustment
Vehicle Parking Spaces (maximum)	4	4	√
Front Yard Parking (maximum)	40%	0%	√
Primary Height (maximum)	20 feet	11.5 feet	√
Secondary Height (maximum)	26 feet	21 feet	√
Bedroom to Bathroom Ratio	<1 (more than 2 bedrooms)	2 bedrooms, 1 bath	√
Amount of Impervious Surface	50%	42%	√
Erosion and Sedimentation Control		n/a	n/a
Steep Slope Disturbance		n/a	n/a
Land Disturbance		9,400 sq. ft.	√
Stormwater Management		n/a	n/a
Drainage Plan		√	√ with ZCP submission
Tree Protection		√	√ with ZCP submission
Lighting		n/a	√ with condition of CDC
Utility Lines Underground		√	√ with ZCP submission
Public Water and Sewer confirmation		√	√ with ZCP submission

Resource Conservation District Regulations		n/a	n/a
Watershed Protection District		n/a	n/a

Northside Neighborhood Conservation District Design Guidelines:	STANDARD	APPLICATION	COMPLIANCE WITH GUIDELINES
Building orientation	Facing street and consistent setbacks	Oriented toward street	√
Site Design	Landscaping, lighting, sidewalks, building placement	See site plan	√ with Resolution A
Parking	Located at side or rear of house; 40% limitation; not obscure front door; clearly distinguished from front yard	Parking area located at rear of house	√
Fencing	Consistent along block	Not Proposed	√ with CDC condition
Porches	Should have porch or covered stoop	√	√
Design Details	Windows on all sides; respect character of neighborhood in scale and proportion;	See site plan and application	√

N/A – Not applicable

RESOLUTION A
(Approving Application)

A RESOLUTION APPROVING AN APPLICATION FOR A SITE PLAN APPLICATION FOR 506-100, Units 100 and 200 (File No.15-004)

BE IT RESOLVED by the Planning Commission of the Town of Chapel Hill that it finds that the 506-100 Whitaker Street, units 100 and 200 Site Plan Application, proposed by the property owner, Habitat for Humanity of Orange County, on the property identified as Orange County Parcel Identification Number 9788-07-7548 if developed according to plans dated December 02, 2014, and building elevations dated December 19, 2014, the Community Design Commission approval from January 27, 2015, the Board of Adjustment approval from February 4, 2015 and the conditions listed below, would comply with the provisions of the Land Use Management Ordinance and Design Manual:

These findings are based on the following supplemental stipulations:

Stipulations Specific to the Development

1. That construction shall begin within one year from the date of approval and be completed within two years from the date of approval.
2. That the applicant must obtain a Zoning Compliance Permit prior to beginning any construction work.
3. That the limits of land disturbance with tree protection fencing shall be shown on the Site Plan, to be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. That tree protection fencing be installed prior to any land disturbance on the site.
4. That a wooden, privacy fence be installed along the western property line to the dumpster screen wall.
5. That the front porch include “can” lighting rather than a fixture.
6. That prior to issuance of Certificate of Occupancy, the applicant submit documentation certified by a registered architect that the floor area, as defined by Land Use Management Ordinance, does not exceed 2,250 square feet.
7. Occupancy by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership is prohibited.
8. Parking restrictions limit the number of parked vehicles on the lot to four vehicles. That the parking area be clearly delineated and marked with a safe and sanitary surface.
9. That a Drainage Plan must be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The plan must provide for dispersal of roof water in a non-erosive condition. All drainage structures are prohibited within the building setbacks.

10. That the applicant obtains a Driveway Permit from Scott Newton, Engineering Inspector, (919 968-2833) prior to beginning land disturbance.
11. That certified as-build plans, signed and sealed by a North Carolina Registered Professional Land Surveyor showing building height limitations, building footprints, driveways, and all other impervious surfaces located on the zoning lot be submitted prior to Building Final for issuance of Certificate of Occupancy.

BE IT FURTHER RESOLVED that the Planning Commission of the Town of Chapel Hill hereby approves the application for a Site Plan for 506-100 Whitaker Street for units 100 and 200 in accordance with the plans and conditions listed above.

This the 17th day of February, 2015.

RESOLUTION B
(Denying Application)

**A RESOLUTION DENYING AN APPLICATION FOR A SITE PLAN FOR 505-100
Whitaker Street, UNITS 100 AND 200 (File No. 15-004)**

BE IT RESOLVED by the Planning Commission of the Town of Chapel Hill that it finds that the 506-100 Whitaker Street, units 100 and 200, proposed by Habitat for Humanity of Orange County, on the property identified as Orange County Parcel Identification Number 9788-07-7548, if developed according to plans dated according to plans dated December 02, 2014, and building elevations dated December 19, 2014 , and the conditions listed below, would not comply with the provisions of the Land Use Management Ordinance:

These findings are based on the following:

(INSERT REASONS FOR DENIAL)

BE IT FURTHER RESOLVED by the Planning Commission hereby denies the application for the 506-100 Whitaker Street, Units 100 and 200 Site Plan.

This the 17th day of February 2015.

**APPLICATION FOR
NORTHSIDE/PINE KNOLLS
SITE PLAN/ZONING
COMPLIANCE APPLICATION**



**TOWN OF CHAPEL HILL
Planning Department**
405 Martin Luther King Jr. Blvd
Chapel Hill, NC 27514
phone (919) 968-2728 fax (919) 969-2014
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9788 07 7548 Date: 1-14-15

Section A: Project Information

Construction adding 250 square feet or more of floor area and any demolition project.
Property Address: 506-100 Whitaker Street
Zoning District: R-3 Northside (CD-1) Pine Knolls (CD-4)
Project Description: construct new affordable duplex
by Habitat for Humanity

Section B: Applicant, Owner and/or Contract Purchaser Information

Applicant Information (to whom correspondence will be mailed)
Name: Habitat for Humanity of Orange Co.; Tyler Momsen-Hudson
Address: 88 Wilcom Center Drive, Suite 4110
City: Chapel Hill State: NC Zip Code: 27514
Phone: 919-697-1898 Email: tmomsen-hudson@orangehabitat.org

The undersigned applicant hereby certifies that, to the best of his/her knowledge and belief, all information supplied with this application is true and accurate.

Signature: Tyler Momsen-Hudson Date: 1-14-15

Owner/Contract Purchaser Information:

Owner Contract Purchaser

Name: same as applicant
Address: _____
City: _____ State: _____ Zip Code: _____
Phone: _____ Email: _____

The undersigned property owner(s) or contract purchaser(s) hereby certifies that, to the best of his knowledge and belief, all information supplied with this application is true and accurate authorize(s) the filing of this application, and authorize(s) on-site review by authorized staff. **I hereby acknowledge receipt of information concerning occupancy limits, as defined by the Land Use Management Ordinance for dwelling units, single family, two family, and two-family-duplex.**

Signature: Tyler Momsen-Hudson Date: 1-14-15



SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
 Planning Department

Section C: Land Area

Date lot was originally created		1964	
Net Land Area (NLA): Area within zoning lot boundaries		NLA=	12,632 sq. ft.
Choose one, or both, of the following (a or b,) not to exceed 10% of NLA	a) Credited Street Area (total adjacent frontage) x ½ width of public right-of-way	CSA=	1012 sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=	sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	13,644 sq. ft.

Section D: Special Protection Areas, Land Disturbance and Impervious Area

Special Protection Areas: (check all those that apply)

- Jordan Buffer
 Resource Conservation District
 100 Year Floodplain
 Watershed Protection District

Land Disturbance	Total (sq ft)
Area of Land Disturbance (Includes: footprint of proposed activity plus work area envelope, staging area for materials, access/equipment paths, and all grading)	9,400
Area of Land Disturbance within RCD	0
Area of Land Disturbance within Jordan Buffer	0

Impervious Area	Existing (sq ft)	Demolition (sq ft)	Proposed (sq ft)	Total (sq ft)
Impervious Surface Area (ISA)	50	50	5,600	5,600
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA) %				42%
If located in Watershed Protection District, % of impervious surface on 7/1/1993				

Section E: Dimensions

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	24'		30'
	Interior (neighboring property lines)	8'		4'-10"
	Solar (northern property line)	11'		15'
Height (maximum)		26'		21'
Front Yard Parking				NONE



SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
 Planning Department

Floor Area (in square footage)	Maximum Allowed	Existing	Demolition	Proposed	Total
Total floor area on zoning lot	3,000	0	0	2,250	2,250
Garage building area					
Floor area on each side of duplex	1125 with variance				1125
Floor area of accessory apartment					

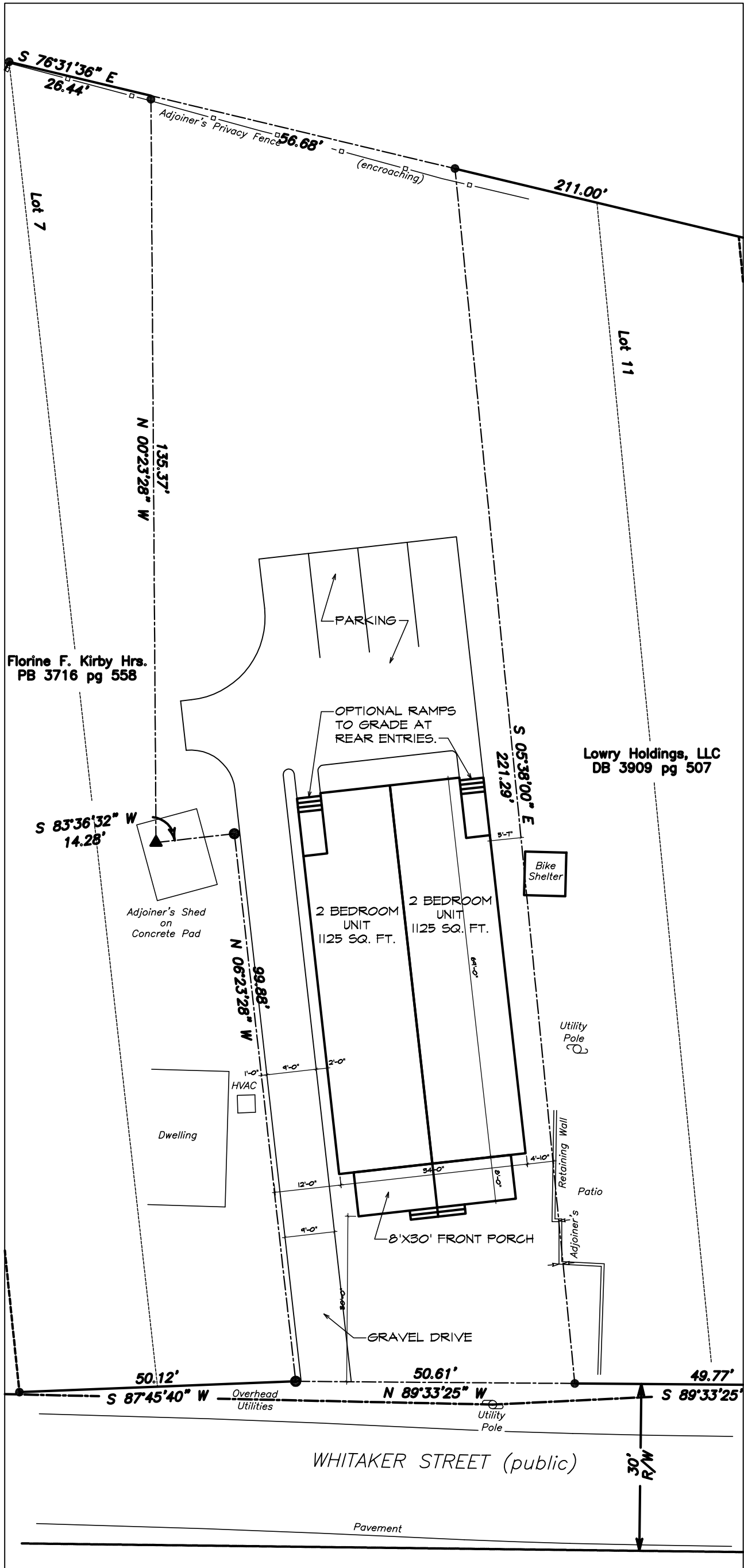
Check all that apply

Water	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Well	<input type="checkbox"/> Other
Sewer	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Septic Tank	<input type="checkbox"/> Other
Electrical	<input type="checkbox"/> Underground	<input checked="" type="checkbox"/> Above Ground	
Telephone	<input type="checkbox"/> Underground	<input checked="" type="checkbox"/> Above Ground	
Solid Waste	<input checked="" type="checkbox"/> Town	<input type="checkbox"/> Private	

Submittal Requirements

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department at (919)968-2728 or at planning@townofchapelhill.org. For detailed information, please refer to the Description of Detailed Information handout.

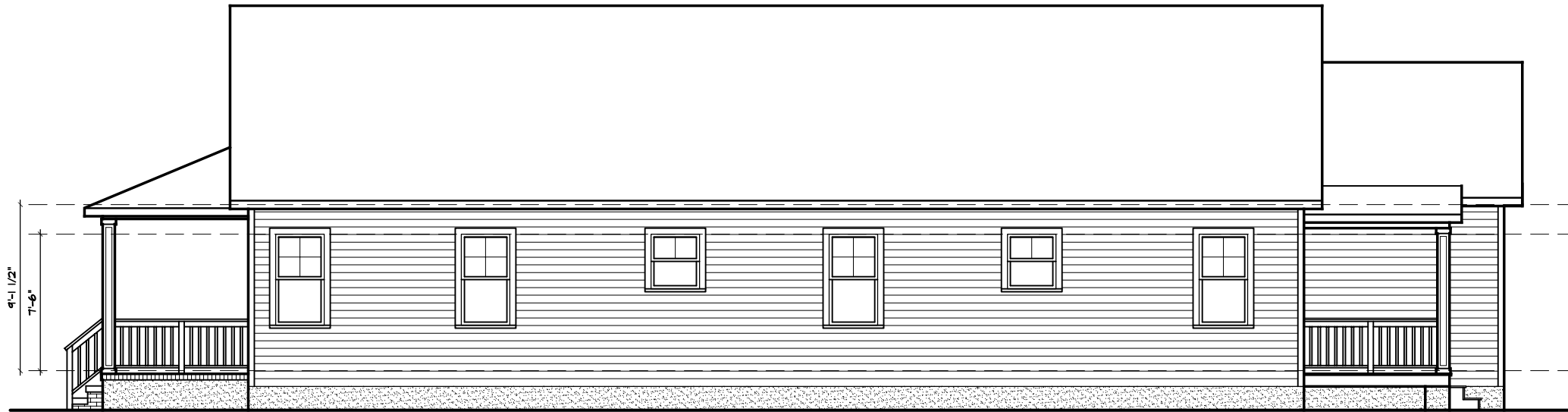
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|----|--------------------------------------------------------------------------------------------------------------------------------|
| NA | 1. Application fee (Refer to fee schedule) Please note that the RCD fee is higher |
| | 2. Recorded plat or deed verifying property current ownership |
| ✓ | 3. Public Water/Sewer Confirmation – from OWASA or Orange County Health Department approval |
| ✓ | 4. Recorded Plat of easements, right-of-way, and dedications , if applicable Preliminary Plat |
| ✓ | 5. Building Elevation (label building height from top of roof to mean natural grade line) |
| ✓ | 6. Statement of Compliance with Design Guidelines (attached) – Written response to each point in guidelines |
| ✓ | 7. Floor Plan – compliance with bedroom/bathroom ratio |
| ✓ | 8. Front Yard Parking – compliance with allowable percentage |
| ✓ | 9. Digital Files – provide digital files of all plans and documents (file size limited to 10 MG) |
| ✓ | 10. Mailing List of Property Owners , (electronic copy) – increase in floor area or garage proposed |
| 64 | 11. Number of addresses on mailing list Mailing fee 0.77 |
| NA | 12. RCD, Jordan Buffer, Floodplains, & Wetland determination - please contact Planning Department at (919) 968-2728 |
| NA | 13. Resource Conservation District Encroachment Exemption or Variance (determined by Planning) |
| NA | 14. Jordan Buffer Notice of Exemption , Authorization Certificate or Mitigation Plan Approval (determined by Planning) |
| NA | 15. Erosion Control Permit (Orange County, or State only if land disturbance greater than 20,000 sq ft) |
| ✓ | 16. Statement of Compliance with Comprehensive Plan – 12 themes |
| ✓ | 17. Digital photos of site and surrounding properties |
| ✓ | 18. Reduced Site Plan Set (reduced to 8.5"x11") |



REVIEW SET FOR:	ORANGE COUNTY HFH DUPLEX	
PROPOSED SITE PLAN	SCALE: 1" = 30'-0"	DATE: 12/02/2014

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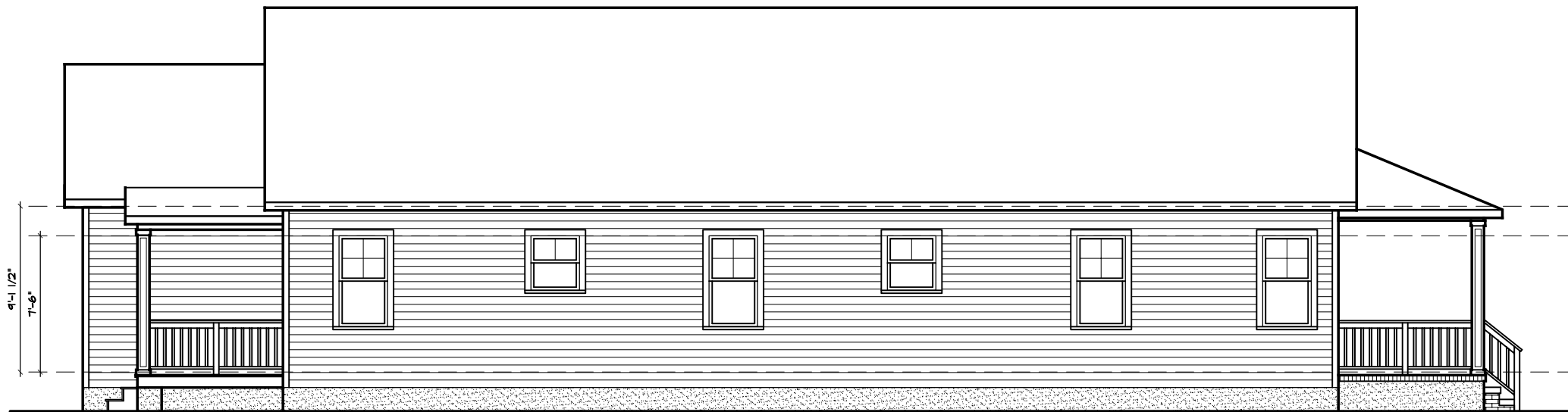
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RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION



FRONT ELEVATION

REVIEW SET FOR:		
ORANGE COUNTY HFH DUPLEX		
ELEVATIONS	SCALE: 1/8" = 1'-0"	DATE: 1/2/02/14

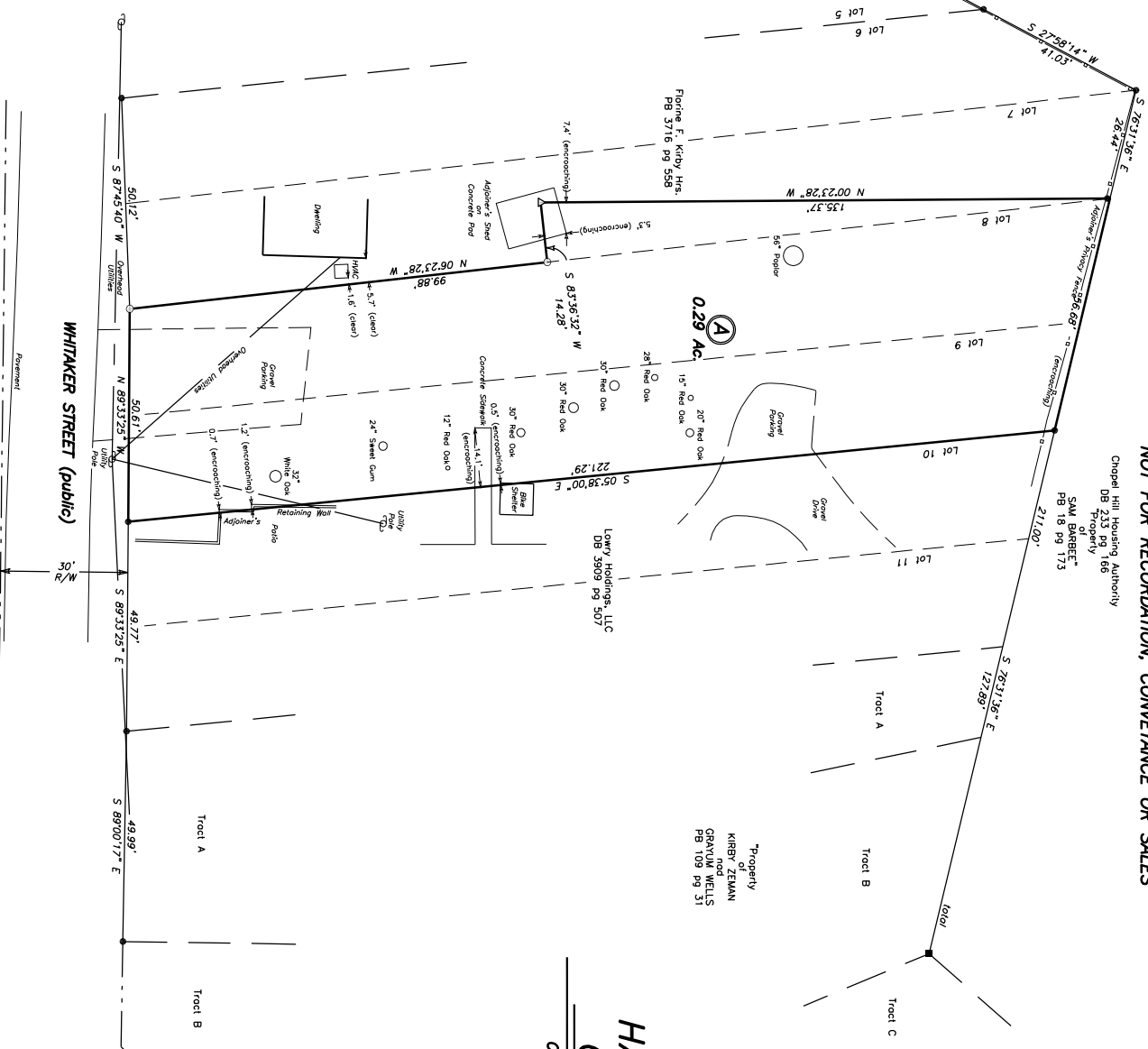
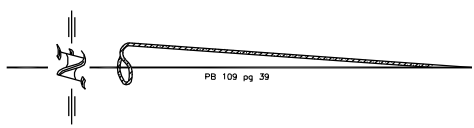
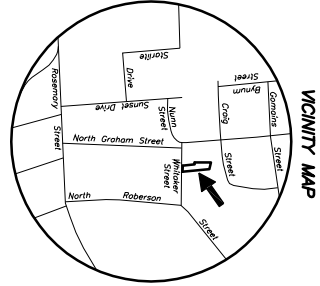
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— PRELIMINARY PLAT —
NOT FOR RECORDATION, CONVEYANCE OR SALES

Chapel Hill Housing Authority
 DB 233 pg 166
 Property
 SM 1488BEC7
 PB 18 pg 173

Property
 of
 KIRBY ZEMAN
 and
 GRAYDON WELLS
 PB 100 pg 51



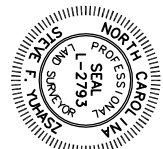
— PROPERTY SURVEYED —
FOR
HABITAT FOR HUMANITY
ORANGE COUNTY, NC

CHAPEL HILL TWP, ORANGE CO., NORTH CAROLINA
 NOVEMBER 6, 2014



- Existing Iron Stake
- Existing Conc. Mon.
- Iron Stake Set
- Conc. Mon. Set
- Mathematical Pt.
- PK Nail Set

NOTE: Areas by coordinate computation.



I, **NOR H. CARL L. KIRK**, L-27933, certify that this plat was drawn from an actual field survey performed under my personal supervision. The plat surveyed, as shown broken and plotted from the enclosed information, this map was prepared in accordance with G.S. 47-30, as amended; and does not create a new plat or change of land existing street.

Witness my original signature, commission number, and seal this _____ day of _____, 2014.

PRELIMINARY
 Land Surveyor

ENT
Land Surveys, Inc.
 228 S. Chilton St., Hillsborough, NC 27278
 (813) 732-9382 Reg. No. C-512

PIN: 9788-07-6598
 OWNER: Forne F. Kirby Heirs
 506 Whittaker Street
 Chapel Hill, NC 27516
 This property was acquired by the owners by deed recorded in Deed Book 3716, Page 558.

21'



RIGHT ELEVATION



REAR ELEVATION



FRONT ELEVATION

21'

REVIEW SET FOR:		
ORANGE COUNTY HFH DUPLEX w/ OPTIONAL REAR ENTRY RAMP		
ELEVATIONS	SCALE: 1/8" = 1'-0"	DATE:12/19/14

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88 Vilcom Center Drive, Suite L110
Chapel Hill, NC 27514
P (919) 932-7077, F (919) 932-7079
www.orangehabitat.org
info@orangehabitat.org

STATEMENT OF COMPLIANCE WITH COMPREHENSIVE PLAN

Northside concept plan application: 506-100 Whitaker Street

Habitat for Humanity proposes to build a new duplex on a vacant lot on Whitaker Street in the Northside neighborhood. This proposal satisfies a number of the goals in the 2020 Plan.

A Place for Everyone

The duplex would provide safe, affordable housing for two families in an existing neighborhood that is close to schools, workplaces, and recreational and art opportunities.

The proposed duplex provides “Family-friendly, accessible exterior and interior places” (PFE.1) and provides one important aspect of “a range of housing options for current and future residents” (PFE.3). Habitat families must be residents of Orange County for one year prior to application for housing, so our families are already part of the community.

Good Places, New Spaces

The Comprehensive Plan emphasizes efforts to strengthen existing neighborhoods. The proposed duplex fulfills this goal and the intent of the Northside Conservation District. The proposal contributes to the “range of neighborhood types that address residential, commercial, social, and cultural needs and uses” (GPNS.5).

Nurturing Our Community

By building two more units of housing in Northside, Habitat for Humanity nurtures the community in several ways. Habitat houses are green-certified, which means the houses meet rigid specifications for energy efficiency, indoor air quality, environmental impact, durability, resource efficiency, and homeowner comfort. This emphasis helps “conserve biological ecosystems within the town boundaries” (NOC1.) and “supports residents in minimizing their personal footprints”(NOC.7).

Habitat houses feature accessible interiors and optional exterior features for accessibility. This aspect promotes “aging in place,” which contributes to the stability of neighborhoods by allowing residents to live there longer.

Finally, the Habitat model uses community funds and volunteers to build houses. This model strengthens the community through tangible improvements brought about by people working together. Typically, our volunteers represent many segments of our community that would not necessarily come together without a project of this type. Previous Habitat work in Northside includes two single family houses and numerous repair projects for existing homeowners in the neighborhood.

Town and Gown Collaboration

Approximately one third of Habitat for Humanity homebuyer families are employed at either UNC or UNC HealthCare. The two proposed units would provide a convenient residence for UNC workers, providing “housing for Town, University, and the Health Care System employees that encourages them to reside in the community” (TGC.4).



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www.orangehabitat.org
info@orangehabitat.org

STATEMENT OF COMPLIANCE WITH DESIGN GUIDELINES

Northside Neighborhood Conservation District

Building Orientation

Setbacks are consistent with neighboring structures.
The building faces the street.

Site Design

Landscaping adds to the visual appeal of the neighborhood through the addition of approved plantings. Safety is enhanced by maintaining visibility at entrances and walkways. Lighting is provided at entrances and parking areas to improve safety. Whitaker Street lacks a sidewalk, but a walkway to the street/driveway is provided. Like other nearby buildings, the structure is oriented on the lot with the long dimension parallel to the side property lines.

Parking

Parking is located at the rear of the structure.
A driveway is provided on the west side of the property to access the gravel parking area in the rear. Four parking spaces are provided with a turnaround space.
The parking/driveway areas do not obscure the front doors.

Fencing

No fencing is proposed.

Porches

All front and rear entrances are covered by a roof. Each unit will have a front porch measuring 8' X 15'.
The porch materials and style made those of the building.

Design Details

Windows are on all sides of the structure and are symmetrical and consistent in size. The rear porches, front porches, and rear bedroom form projections that break up the building mass.
The scale and proportion of the building respects the character and scale of the neighborhood.
The gable roof on the main structure, the hip roof on the front porch, and the shed roof on the rear porch all mimic traditional roof forms found in the neighborhood.

ORANGE WATER AND SEWER AUTHORITY
CONDITIONAL STATEMENT OF SERVICE AVAILABILITY
TO SPECIFIED PROPERTY

Type of Property: RESIDENTIAL

Street Address: 506 WHITAKER ST.

City: CHAPEL HILL PIN: 9788-07-7548

Legal Description (such as Tax Map, Block, Lot #): 8/9 P/07 BL C CRAIG

Anticipated Date (Month/Year) OWASA Service will be Required: TBD

APPLICANT (Print Name): HABITAT FOR HUMANITY
(APPLICANT'S contact information is provided the reverse side)

SERVICES TO BE PROVIDED: As information for a Building Permit request to a local government, the APPLICANT has requested, and the Orange Water and Sewer Authority (OWASA) hereby concurs, that subject to the conditions stated below, OWASA will provide the following services to the above-referenced property:

Public Water Service and/or Public Sewer Service

CONDITIONS OF OWASA CONCURRENCE: OWASA will not provide public water or sewer service to the APPLICANT'S above-referenced property until and unless:

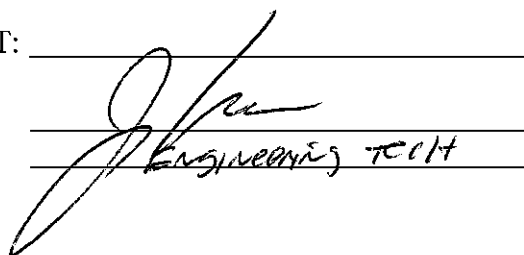
- (a) The property to be served is located within OWASA's water and sewer service area at the time service connection is to be made;
- (b) All applicable water and/or sewer utility improvements required to serve the property have been completed in accord with OWASA's standard specifications, policies, rules and regulations related to service eligibility;
- (c) All applicable improvements specified in (b) above have been dedicated to and accepted by OWASA, including receipt and acceptance by OWASA of all final as-built documentation associated with the work;
- (d) All easements required for connection to water and/or sewer mains have been secured and recorded;
- (e) All applicable service availability charges, capacity fees, meter and tap fees, and other charges in effect at the time the actual service to the above-referenced property is connected to the OWASA system have been paid in full to OWASA; and
- (f) OWASA has no obligation to undertake or complete water and/or sewer utility improvements required under (b) above.

It is expressly understood by all parties that OWASA is under no obligation to provide service to the lot hereby referenced until all requirements above have been met.

Fee schedules are prepared for the acceptance of fees only after the water and sewer utility improvements required to serve the property have been completed and said improvements have been accepted by OWASA. The availability fees in effect at the time of service initiation will apply. OWASA's continued service to the subject property is dependent on the customer's (1) payment to OWASA for the applicable charges for ongoing service, and (2) compliance with all OWASA rules, regulations and ordinances pertaining to the use and protection of OWASA's water supply system and wastewater system.

Signature of APPLICANT: _____ Date: _____

Approved by OWASA: _____ Date: 12-18-14
Title: ENGINEERING TECH



NORTH CAROLINA

THIS DEED, Made and entered into this the 12th day of June CHESTER KIRBY and wife, FLORINE KIRBY, party of the first part (whether one or more) and

EVIA BURNETT (widow of Leonard Burnett, deceased), party of the second part (whether one or more) WITNESSETH:

That the said party of the first part, in consideration of the sum of TEN DOLLARS and other good, valuable and sufficient considerations, paid by the said party of the second part, the receipt of which is hereby acknowledged, has bargained and sold and by these presents does bargain, sell and convey unto the said party of the second part and his heirs and assigns all that certain tract or parcel of land in Chapel Hill Township, Orange County, North Carolina, and more particularly described as follows:

Being known and designated as part of Lot No. 7, Part C, in the subdivision of the Craig Property, as surveyed by J. Ralph Weaver, Registered Surveyor, September 14, 1939, more particularly described as follows: BEGINNING at an iron stake located at the Northwestern corner of Lot No. 8, Part C, of said subdivision, and the northeastern corner of Lot No. 7, Part C, of said Craig Property subdivision; running thence from said beginning point, South 5 deg. 30' East along the dividing line between Lots Nos. 7 and 8 in Part C of said subdivision 134 feet to an iron stake located in said dividing line; running thence South 84 deg. 30' West 14 feet to a stake; thence North 0 deg. 30' East 134.7 feet to the point of beginning, being part of the same property described in the deed from Evia Burnett (widow) to Charles Kirby and wife, Florine Kirby, dated March 1, 1960, recorded in Deed Book 175, Page 252, Orange County Registry.

TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges and appurtenances thereunto belonging to the said party of the second part and his heirs and assigns in fee simple forever. And the said party of the first part does covenant that he is seized of said premises in fee simple and has the right to convey the same in fee simple; that the same are free from incumbrances; and that he will warrant and defend the said title to the same against the claims of all persons whomsoever. Wherever used herein, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders, as the context may indicate.

IN TESTIMONY WHEREOF the said party of the first part has hereunto set his hand and seal the day and year first above written.

(SEAL)
(SEAL)
(SEAL)

Chester Kirby (SEAL)
Florine Kirby (SEAL)

NORTH CAROLINA, Orange COUNTY.

I, Mary C. McLaughlin, a Notary Public in and for said State and County do hereby certify that CHESTER KIRBY and wife, FLORINE KIRBY, the grantors, personally appeared before me this day and acknowledged the due execution of the foregoing deed of conveyance. Witness my hand and notarial seal, this the 13th day of June, 1962.

My commission expires: 2/7/64

Mary C. McLaughlin Notary Public

NORTH CAROLINA, COUNTY.

I, a Notary Public in and for said State and County do hereby certify that the grantors, personally appeared before me this day and acknowledged the due execution of the foregoing deed of conveyance. Witness my hand and notarial seal, this the day of , 196 .

My commission expires: Notary Public

NORTH CAROLINA, ORANGE COUNTY

The foregoing certificate of Mary C. McLaughlin, Notary Public of Orange County, N.C., is adjudged to be correct. Let this deed and all certificates be registered.

Witness my hand, this the 14 day of June, 1962.

Clerk Superior Court

Filed for registration on the 14 day of June 1962 at 3:50 o'clock P.M. and duly recorded in the Office of the Register of Deeds of Orange County, North Carolina, in Book 187, Page 185, etc.

Register of Deeds

121/323

STATE OF NORTH CAROLINA, _____ County.

THIS DEED, Made this 25th day of July, A.D. 1945, by

C. P. Hinshaw and wife, Fannye Wellons Hinshaw

of Orange County and State of North Carolina

Leonard Burnett and wife, Burnett of the first part, to

of Chatham County and State of North Carolina

WITNESSETH, That said C. P. Hinshaw and Fannye Wellons Hinshaw of the second part:

in consideration of Fourteen hundred fifty & No/100 Dollars, to them paid by Leonard Burnett and wife, Burnett

the receipt of which is hereby acknowledged, he, she, bargained and sold, and by these presents do grant, bargain, sell and convey to said Leonard Burnett and wife, Burnett

their heirs and assigns, a certain tract or parcel of land in Orange County, State of North Carolina, adjoining the lands of Waitaker Street, Hubert Yeargan and wife, Willie Cotton

First Tract: All of that certain lot or parcel of land situated, lying and being on the North side of Waitaker Street in the Town of Chapel Hill, N. C. and known and designated as lots Nos. 6 and 7 in Part "C" in the subdivision of the Craig Property as surveyed by J. Ralph Weaver, Registered Surveyor, September 14, 1939, and described as follows: BEGINNING at a stake in the North property line of Waitaker Street, Southeast corner of Lot No. 5; running thence with the line of Lot No. 5 North 5* 30' West 206 feet to a stake; running thence North 32* East 40 feet to an iron stake and pointers; running thence South 76* 00' East 26.5 feet to a stake, Northwest corner of Lot No. 8; running thence with the line of Lot No. 8 South 5* 30' East 234 feet to a stake in the North property line of Waitaker Street; running thence along the North property line of Waitaker Street North 89* West 50 feet to the beginning.

SECOND TRACT: All of those certain lots or parcels of land situate, lying and being on the North side of Waitaker Street in the Town of Chapel Hill, N. C. and known and designated as Lots Nos. 8 and 9 in part "C" in the subdivision of the Craig property as surveyed by J. Ralph Weaver, Registered Surveyor, September 14, 1939, and described as follows: BEGINNING at a stake in the North property line of Waitaker Street, the Southeast corner of Lot No. 7; running thence along the North property line of said Street South 89* East 50 feet to a stake, the Southwest corner of Lot No. 10; running thence with the line of Lot No. 10 North 5* 30' West 222 feet to a stake; running thence North 76* 00' West 53 feet to a stake, the Northeast corner of Lot No. 7; running thence with the line of Lot No. 7 South 5* 30' East 234 feet to the beginning. For full description see Deeds recorded in the Office of the Register of Deeds of Orange County, N. C. and all privileges and appurtenances thereto belonging, to the said Leonard Burnett and wife, Burnett

TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges and appurtenances thereto belonging, to the said Leonard Burnett and wife, Burnett

their heirs and assigns, to their only use and behoof forever.

And the said C. P. Hinshaw and wife, Fannye Wellons Hinshaw

for themselves and their heirs, executors and administrators, covenant with said parties of the second part and their

heirs and assigns, that they are seized of said premises in fee, and do hereby warrant

IN TESTIMONY WHEREOF, the said C. P. Hinshaw and Fannye Wellons Hinshaw

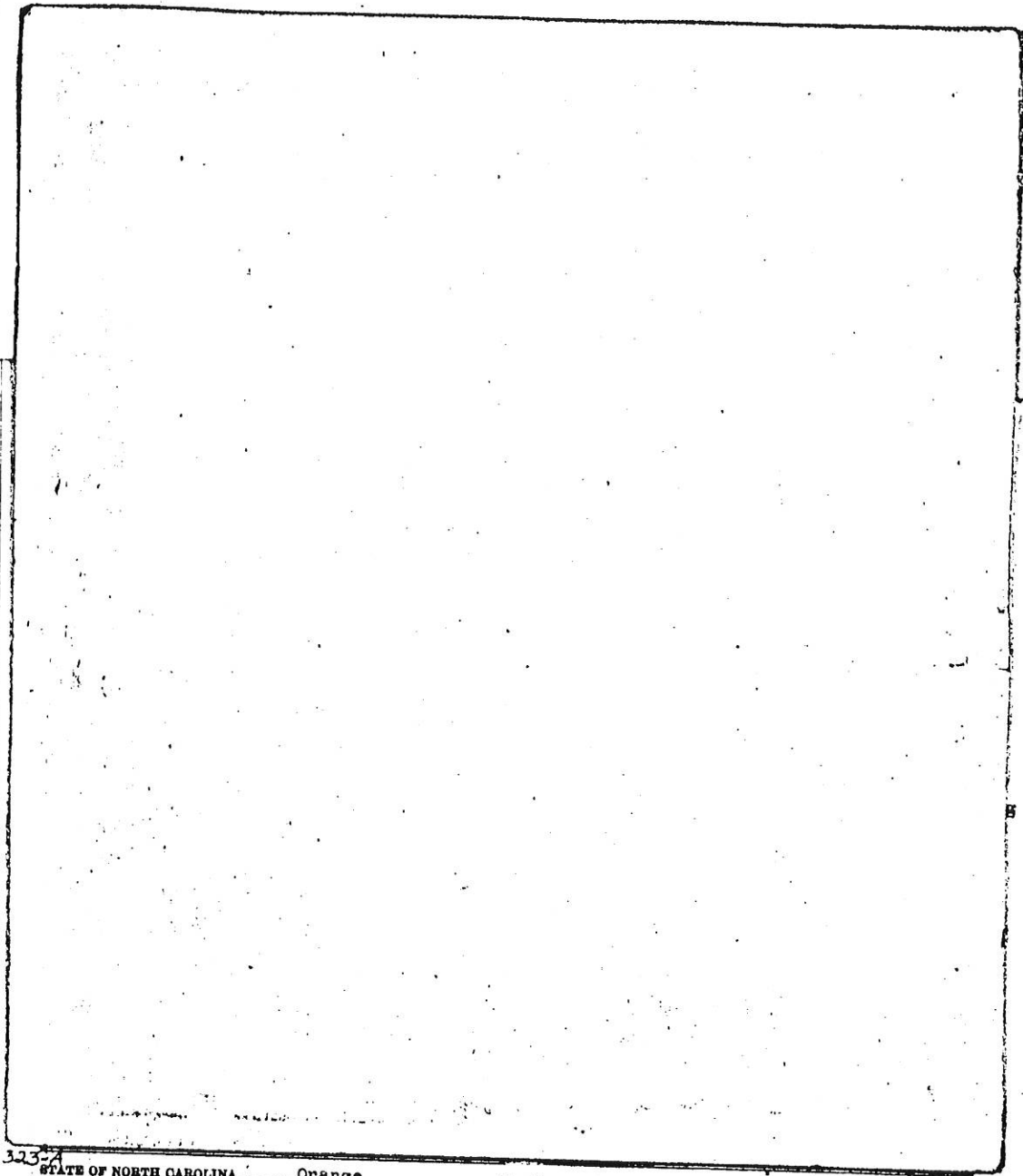
do hereby hereunto set their hand and seal, the day and year first above written.

(N. P. SEAL) J. C. P. Hinshaw [SEAL] Fannye Wellons Hinshaw [SEAL]

My Commission Expires July 7, 1946

STATE OF NORTH CAROLINA, COUNTY OF ORANGE. I, Paul H. Robertson, Justice of the Peace, do hereby certify that C. P. Hinshaw personally appeared before me this day and acknowledged the due execution of the annexed Deed of Conveyance.

Witness my hand and private seal, this 25th day of July, 1945 Paul H. Robertson (J.P. SEAL) N. P.



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STATE OF NORTH CAROLINA, Orange County.

I, Paul H. Robertson a Notary Public

Fannye Wellons Hinshaw

do hereby certify that

Fannye Wellons Hinshaw being by me privately examined, separate and apart from her said husband, touching her voluntary execution of the same, doth state that she signed the same freely and voluntarily, without fear or compulsion of her said husband or any other person, and that she doth still voluntarily assent thereto.

Witness my hand and official seal, this 31st day of July, 19 45.

My commission expires 9-12-46 Paul H. Robertson (N.P. SEAL) (SEAL)
Notary Public

STATE OF NORTH CAROLINA, Orange County.

The foregoing certificate of Paul H. Robertson, Notary Public of Orange County, attested by his notarial seal, and of Paul H. Robertson Justice of the Peace of Orange County, State of North Carolina, is adjudged to be correct. Let the instrument, with the certificates, be registered.

Witness my hand and official seal, this 2nd day of August, A.D. 19 45.

Josephine K. Patterson
Deputy Clerk Superior Court.

Filed for registration on the 2nd day of August, 19 45, at 4:50 o'clock P.M., and registered and verified.

Book 121, Page 323

J. E. Lewis
Register of Deeds, Orange County.

R/S \$1.65

Fee \$1.25