1. General Provision:

a. No land development on the Escondido West Area and within the Escondido West Area is permitted except on land on which the following conditions are met:

(1) The land is zoned "Residential" or "Low Density Residential" in the City of Escondido.

(2) The land is dedicated for residential development as provided in applicable City codes and regulations.

b. All uses permitted on land on which the provisions of this Annex are met shall be subject to the limitations set forth in Sections 2, 3, and 4 of this Annex and shall comply with all applicable City regulations, including zoning, land use, and development requirements.

2. Transportation Improvements and Access:

a. The land use approval for any development project shall provide for access to the proposed development project in accordance with the City of Escondido's transportation plan and shall be subject to the approval of the City of Escondido.

b. The development shall be designed and constructed in accordance with the requirements set forth in the City of Escondido's transportation plan and shall be subject to the approval of the City of Escondido.

3. Reclamation of Development Areas:

a. The reclamation of development areas shall be subject to the requirements set forth in Sections 2, 3, and 4 of this Annex and shall comply with all applicable City regulations, including zoning, land use, and development requirements.

b. The development shall be designed and constructed in accordance with the requirements set forth in the City of Escondido's transportation plan and shall be subject to the approval of the City of Escondido.

4. Architectural Standards and Parking Location

a. The architectural standards for the development areas shall be subject to the requirements set forth in Sections 2, 3, and 4 of this Annex and shall comply with all applicable City regulations, including zoning, land use, and development requirements.

b. The development shall be designed and constructed in accordance with the requirements set forth in the City of Escondido's transportation plan and shall be subject to the approval of the City of Escondido.

5. Environmental Protection:

a. The development shall be designed and constructed in accordance with the requirements set forth in Sections 2, 3, and 4 of this Annex and shall comply with all applicable City regulations, including zoning, land use, and development requirements.

b. The development shall be designed and constructed in accordance with the requirements set forth in the City of Escondido's transportation plan and shall be subject to the approval of the City of Escondido.

6. Natural Resource Protection:

a. The development shall be designed and constructed in accordance with the requirements set forth in Sections 2, 3, and 4 of this Annex and shall comply with all applicable City regulations, including zoning, land use, and development requirements.

b. The development shall be designed and constructed in accordance with the requirements set forth in the City of Escondido's transportation plan and shall be subject to the approval of the City of Escondido.

7. Environmental Impact Report:

a. The development shall be designed and constructed in accordance with the requirements set forth in Sections 2, 3, and 4 of this Annex and shall comply with all applicable City regulations, including zoning, land use, and development requirements.

b. The development shall be designed and constructed in accordance with the requirements set forth in the City of Escondido's transportation plan and shall be subject to the approval of the City of Escondido.

8. Required Accessory Use:

a. The development shall be designed and constructed in accordance with the requirements set forth in Sections 2, 3, and 4 of this Annex and shall comply with all applicable City regulations, including zoning, land use, and development requirements.

b. The development shall be designed and constructed in accordance with the requirements set forth in the City of Escondido's transportation plan and shall be subject to the approval of the City of Escondido.
INTERSTATE 485

Albemarle Road - NC HWY 24-27

DEVELOPMENT AREA A
PROPOSED ZONING - MX-1
1,479,033 SQUARE FEET, 33.954 ACRES

DEVELOPMENT AREA B
PROPOSED ZONING - NS
1,435,131 SQUARE FEET, 32.946 ACRES

PRELIMINARY
MX-1 (APPROXIMATELY 33.954 ACRES) – DEVELOPMENT AREA A

Being A portion of that certain parcel of land, zoned MX-1, lying North of Albemarle Road and West of Interstate 485, and being situated in Clear Creek Township, Mecklenburg County, North Carolina and being more particularly described by Metes and Bounds as follows:

Commencing, on a set iron rebar in the Northern right of way line of Albemarle Road (NC HWY 24-27) (A variable width Right of Way), and a point on the eastern property line of that Virginia W. Hartsell parcel recorded in Deed book 02747, Page 191 of the Mecklenburg County Public Registry, hence MCR, being the Westernmost corner of herein described tract;

Thence, with the Easterly line of said Virginia W. Hartsell parcel, North 11°27'10" West 238.27 feet to a found iron, being the Southeast corner of that Woodbury Homeowners Association, Inc. parcel recorded in Deed book 30498, Page 913 (MCR);

Thence, with the Easterly line of said Woodbury Homeowners Association, Inc. parcel, North 11°27'10" West 893.48 feet to a calculated point in the dividing line between Zones NS(CD) and MX-1 and the Point of Beginning;

Thence, in a clockwise direction, with the Easterly line of said Woodbury Homeowners Association, Inc. parcel, the following six (6) courses:

1. North 11°27'10" West 545.51 feet iron;
2. North 07°46'18" East 325.45 feet to a set iron rebar;
3. North 10°23'49" East 385.10 feet to a found iron;
4. North 27°28'53" East 246.52 feet to a set iron rebar;
5. North 39°17'34" East 687.54 feet to a found iron;
6. North 30°43'51" East 147.26 feet to a found iron in the Western right of way line of Interstate 485 (A variable width Right of Way);

Thence, with the Westerly Right of Way line of said Interstate 485, the following five (5) courses:

1. With a curve to the left having an arc length of 293.33 feet, a radius of 4000.17 feet, and a chord bearing and distance of South 23°08'02" East 293.27 feet to a found NCDOT right of way monument;
2. South 24°12'20" East 335.68 feet to a set iron rebar;
3. South 29°03'31" East 276.55 feet to a found NCDOT right of way monument;
4. South 12°41'29" East 359.03 feet to a set iron rebar;
5. South 07°30'27" East 89.53 feet to a calculated point in the dividing line between Zones NS(CD) and MX-1;

Thence, with said dividing line, the following eight (8) courses:

1. South 82°29'33" West 115.09 feet to a calculated point;
2. South 29°23'45" West 449.09 feet to a calculated point;
3. South 27°26'25" East 122.53 feet to a calculated point;
4. South 62°33'35" West 111.11 feet to a calculated point;
5. North 27°26'25" West 81.07 feet to a calculated point;
6. North 49°48'55" West 150.58 feet to a calculated point;
7. South 40°11'05" West 540.67 feet to a calculated point;
8. South 78°32'50" West 234.07 feet to the Point of Beginning, and containing 1,479,033 Square Feet, 33.954 Acres, more or less.

Description was derived from a survey map prepared by Lawrence Associates, Dated November 26, 2012, last revised December 4, 2012, entitled “Boundary and Topographic Survey of 66.90 acres – J S Helms Family Properties, LLC” and signed by F. Donald Lawrence, NCPLS L-1290.
NS (APPROXIMATELY 32.946 ACRES) – DEVELOPMENT AREA B

Being a portion of that certain parcel of land, zoned NS, lying North of Albemarle Road and West of Interstate 485, and being situated in Clear Creek Township, Mecklenburg County, North Carolina and being more particularly described by Metes and Bounds as follows:

Commencing, on a set iron rebar in the Northern right of way line of Albemarle Road (NC HWY 24-27) (A variable width Right of Way), and a point on the eastern property line of that Virginia W. Hartsell parcel recorded in Deed book 02747, Page 191 of the Mecklenburg County Public Registry, hence MCR, being the Westernmost corner of herein described tract and the Point of Beginning;

Thence, in a clockwise direction, with the Easterly line of said Virginia W. Hartsell parcel, North 11°27'10" West 238.27 feet to a found iron, being the Southeast corner of that Woodbury Homeowners Association, Inc. parcel recorded in Deed book 30498, Page 913 (MCR);

Thence, with the Easterly line of said Woodbury Homeowners Association, Inc. parcel, North 11°27'10" West 893.48 feet to a calculated point in the dividing line between Zones NS(CD) and MX-1;

Thence, with said dividing line, the following eight (8) courses:
1. North 78°32'50" East 234.07 feet to a calculated point;
2. North 40°11'05" East 540.67 feet to a calculated point;
3. South 49°48'55" East 150.58 feet to a calculated point;
4. South 27°26'25" East 81.07 feet to a calculated point;
5. North 62°33'35" East 111.11 feet to a calculated point;
6. North 27°26'25" West 122.53 feet to a calculated point;
7. North 29°23'45" East 449.09 feet to a calculated point;
8. North 82°29'33" East 115.09 feet to a calculated point in the Western right of way line of Interstate 485 (A variable width Right of Way);

Thence, with the Westerly Right of Way line of said Interstate 485, the following eight (8) courses:
1. South 07°30'27" East 330.92 feet to a set iron rebar;
2. South 16°51'36" East 90.62 feet to a found NCDOT right of way monument;
3. South 04°32'41" West 113.29 feet to a set iron rebar;
4. South 01°56'58" West 209.63 feet to a found NCDOT right of way monument;
5. South 06°02'09" East 257.64 feet to a found NCDOT right of way monument;
6. South 27°54'00" East 212.44 feet to a set iron rebar;
7. South 27°26'24" East 133.96 feet to a found NCDOT right of way monument;
8. South 05°28'17" West 86.69 feet to a set iron rebar in the Northern right of way line of Albemarle Road (NC HWY 24-27) (A variable width Right of Way);

Thence, with the Northerly Right of Way line of said Albemarle Road, the following two (2) courses:
1. South 62°33'35" West 508.53 feet to a set iron rebar;
2. South 62°33'35" West 748.96 feet to the Point of Beginning, and containing 1,435,131 Square Feet, 32.946 Acres, more or less.

Description was derived from a survey map prepared by Lawrence Associates, Dated November 26, 2012, last revised December 4, 2012, entitled “Boundary and Topographic Survey of 66.90 acres – J S Helms Family Properties, LLC” and signed by F. Donald Lawrence, NCPLS L-1290.