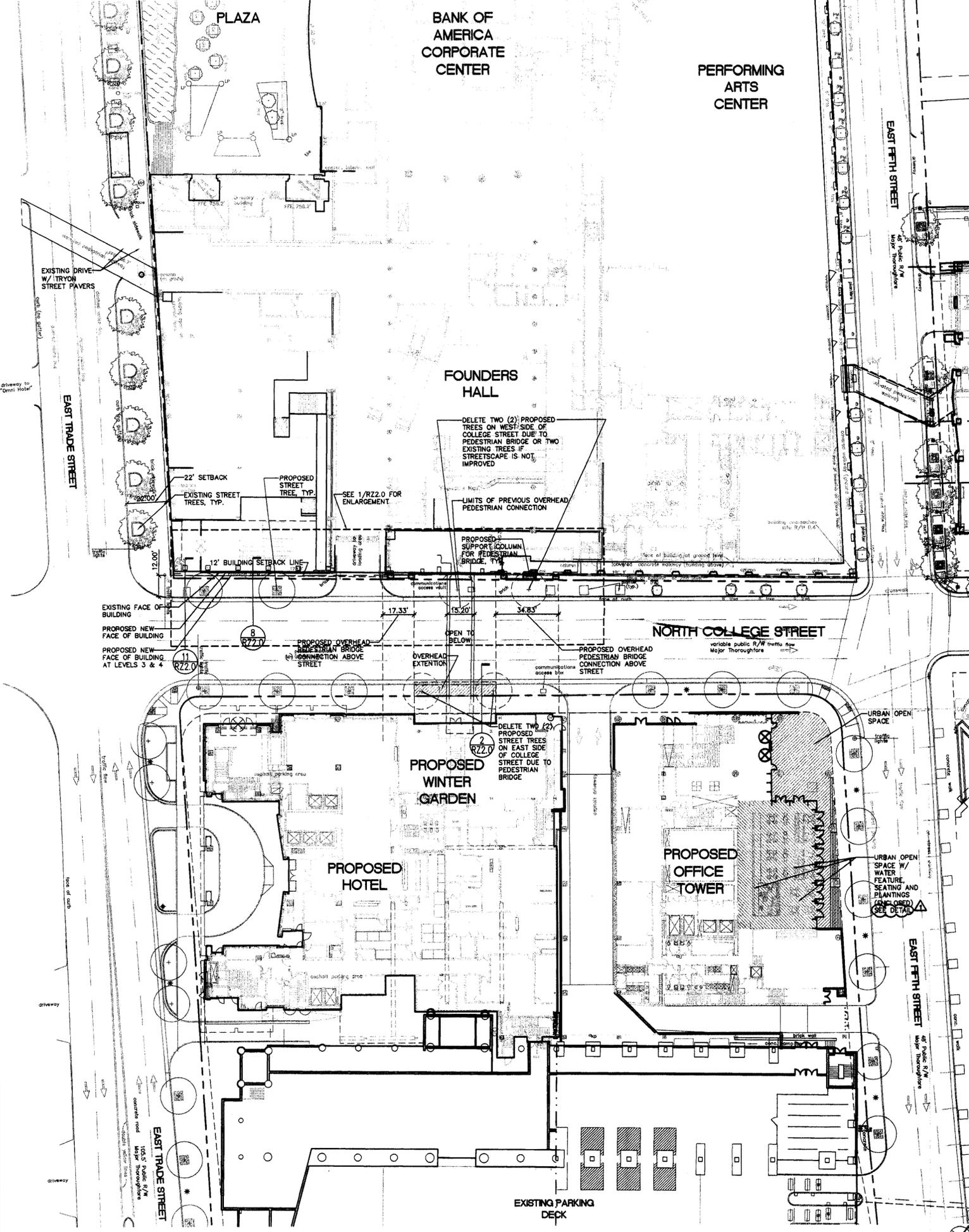
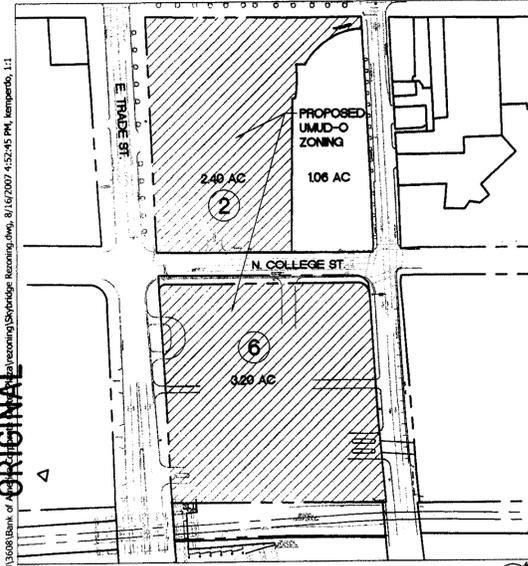


ADJACENT PROPERTY OWNERS:

1. 132 E. TRADE ST.
TRADE TRYON HOTEL
COMPANY, LLC.
PID#: 12501225
2. 100 N. TRYON ST., SUITE 2600
NATIONSBANK N A AND
LINCOLN HARRIS LLC
PID#: 08001203
3. 130 N. TRYON ST.
CITY OF CHARLOTTE
PID#: 08001201
4. 214 N. TRYON ST.
TWO HUNDRED FOURTEEN
NORTH AND WORKPLACE
FINANCE C/O BANK OF
AMERICA CORPORATE
PID#: 08001111
5. 200 N. COLLEGE ST.
NATIONSBANK N A
WORKPLACE FINANCE C/O
BANK OF AMERICA
CORPORATE
PID#: 08001409A
6. 100 N. COLLEGE ST.
NATIONSBANK N A AND
LINCOLN PROP CO
PID#: 08001303
7. 101 S. COLLEGE ST.
PACIFIC AVENUE, LLC
PID#: 12501117



REZONING SUMMARY

REZONING SITE AREA: 5.6 AC
EXISTING ZONING: UMUD and UMUD-O
PROPOSED ZONING: UMUD-O
PETITIONER: Lincoln Harris, LLC.
 4201 Congress St.,
 Suite 175
 Charlotte, NC 28209
OWNER: Bank of America, N.A.
 101 S. Tryon St.
 Charlotte, NC 28255

DEVELOPMENT STANDARDS

UMUD-OPTIONAL (July 25, 2007)

A. General Provisions
 These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Lincoln Harris Company, as Petitioner, to accommodate certain improvements to that certain approximately 3.2 acre parcel located at 100 N. College Street (Tax Parcel #080-013-03; the "College Street Site") and to that certain approximately 2.4 acre parcel located at 100 N. Tryon Street (Tax Parcel # 080-012-03; the "Tryon Street Site"), all as more particularly described on the Technical Data Sheet (together the College Street Site and the Tryon Street Site are referred to as "the Site"). Reference is made to that certain UMUD-O Petition #89-14 regarding the Tryon Street Site, among other property approved by Charlotte City Council on February 27, 1989 ("Petition #89-14"). It is understood that this UMUD-O Petition shall be in addition to and not in lieu of Petition #89-14; provided, however, any conflict between the provisions and requirements of this UMUD-O Petition and Petition #89-14 shall be resolved in favor of this UMUD-O Petition.

The Petitioner seeks to obtain variances from the minimum standards of the UMUD section of the City of Charlotte Zoning Ordinance to accommodate development of certain improvements on College and Trade Street in Charlotte, North Carolina as generally depicted on this Rezoning Plan (as defined below). This Petition contemplates construction of certain building and streetscape improvements that will encroach into the College Street setback, and modifications to the urban open space. The specific UMUD-O provisions are listed below.

The development contemplated by the Petitioner generally depicted on the Technical Data Sheet is referenced herein as "Development Alternative A". Petitioner seeks certain variances from the minimum standards of UMUD for the Site in connection with "Development Alternative A". Other development alternatives for the Site that do not seek variances from the minimum UMUD standards (beyond those variances allowed in Part B of this UMUD-O Petition #89-14) are permitted.

Development of the Site in accordance with Development Alternative A will be governed by the Technical Data Sheet and these Development Standards (collectively the "Rezoning Plan") together with applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance") and as to the Tryon Street Site the provisions and plans associated with Petition #89-14 (when not in conflict with this Petition). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the UMUD zoning classification shall govern all development taking place on the Site, subject, however, to the "Optional" provision(s) provided below with respect to Development Alternative A and the "Optional" provision(s) of Petition #89-14 as to the Tryon Street Site. Development of the Site in accordance with the Other Development Alternatives (as described in Section D below) will be governed by the regulations established under the Ordinance for the UMUD zoning classification without regard to the "Optional" provision(s) set forth herein but as to the Tryon Street Site subject to the "Optional" provision(s) set forth in Petition #89-14.

B. Permitted Uses
 The Site may be devoted to any uses (including any accessory uses) permitted in the UMUD Zoning Classification. Development and/or redevelopment may occur in phases over an extended time frame.

C. UMUD-Optional Provisions
 The Petitioner is requesting the following variances from the UMUD minimum standards as part of this UMUD-Optional (UMUD-O) application in connection with Development Alternative A as generally depicted on the Rezoning Plan:

1. **Overhead Pedestrian Bridge Encroachments.**
 - (a) The encroachment of certain overhead pedestrian connection improvements into the College Street setback on the College Street Parcel within the limits of the overhead pedestrian connection in the manner as generally depicted on the Rezoning Plan.
 - (b) The encroachment of certain structural columns to support the proposed overhead pedestrian connection within the College Street setback in the manner as generally depicted on the Rezoning Plan.
2. **Winter Garden Encroachments.**
 - (a) Encroachment into the College Street setback of an extension of the winter garden area located on the College Street Parcel within the limits of the overhead pedestrian connection in the manner as generally depicted on the Rezoning Plan.
3. **Founders Hall and Facade Encroachments.**
 - (a) Encroachment of a new building facade (associated with the proposed renovation of the existing Founders Hall building) into the College Street setback in the manner as generally depicted on the Rezoning Plan.
4. **Urban Open Space.**
 - (a) Modifications to the urban open space requirements of Section 9.906(4) of the Ordinance by means of an innovative open space area that may exceed the 30% enclosed space requirement and substitute sculpted plant material in planters in lieu of trees for this area. The area shall be designed substantially in the manner and contain the features set forth on Sheet RZ.1.0 of the Rezoning Plan; provided, however, Petitioner also reserves the right to submit site-specific encroachment requests for the Urban Open Space area. The site-specific features associated with the Urban Open Space may be varied with the approval of the Planning Director.

D. Other Development Alternatives Under UMUD Without Optional Variations
 It is understood that the variances from the UMUD minimum standards requested by this Petition are optional in nature and relate solely to development contemplated in connection with Development Alternative A. This Petition also contemplates development of the Site, and/or portions thereof, without the benefit of the Optional provision(s), in accordance with UMUD requirements and minimum standards and as to the Tryon Street Site the "Optional" provisions set forth in Petition #89-14. In other words, the Petitioner, its successors and assigns, reserves the right to develop the Site, and/or portions thereof, in a manner wholly different from the development depicted on the Technical Data Sheet and Schematic Site Plan (collectively, "Other Development Alternatives") without the benefit of the Optional provision(s) set forth in this Petition (but, as to the Tryon Street Site, with the benefit of the "Optional" provisions set forth in Petition #89-14), provided that Other Development Alternatives are in accordance with UMUD requirements and minimum standards.

E. Amendments to Rezoning Plan-UMUD Review

- (a) Subject to the provisions of Section D above, future amendments to the Technical Data Sheet, the Conceptual Schematic Plan and these Development Standards in accordance with Development Alternative A may be applied for by the then Owner or Owners of the tract or tracts within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.
- (b) The final dimensions, materials, and articulation of the building structures and facades associated with Development Alternative A will be reviewed and approved by the Charlotte-Mecklenburg Planning Department, Charlotte Department of Transportation, City of Charlotte Land Development and other departments as a part of the UMUD plan review submittal process.

Throughout these Development Standards, the terms, "Petitioner" or "owner" or "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

G. Statement With Respect To The Graphics Which Are Set Forth On Exhibits Accompanying The Technical Data Sheet for Development Alternative A
 The graphic representations set forth on this Rezoning Plan are intended to describe the conceptual plans proposed for development in accordance with Development Alternative A. However, it should be noted that such plans are schematic in nature and relate only to development in accordance with Development Alternative A. Accordingly, the concepts may be altered during design development phases for development in accordance with Development Alternative A.

Cole Jenest & Stone
 Shaping the Environment
 Realizing the Possibilities

Land Planning
 Landscape Architecture
 Civil Engineering
 Urban Design

200 South Tryon Street, Suite 3400 Charlotte, NC 28202
 704.376.3353 • 704.376.7863 • www.colejenest.com

Bank of America

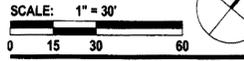
**Bank of America
College Street
Rezoning**

**Technical
Data Sheet 1
Petition #: 2007-107**

Project No.
3700

Issued
06/14/07

Revised
07/27/07 - PER OWNER & CMPC COMMENTS
08/16/07 - PER CMPC COMMENTS



RZ1.0

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FOR PUBLIC HEARING



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Urban Design

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Bank of America

**Bank of America
College Street
Rezoning**

**Technical
Data Sheet 2
Petition #: 2007-107**

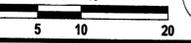
Project No.
3700

Issued
06/14/07

Revised

07/27/07 - PER OWNER & CMPC COMMENTS
08/16/07 - PER CMPC COMMENTS

SCALE: 1" = 10'



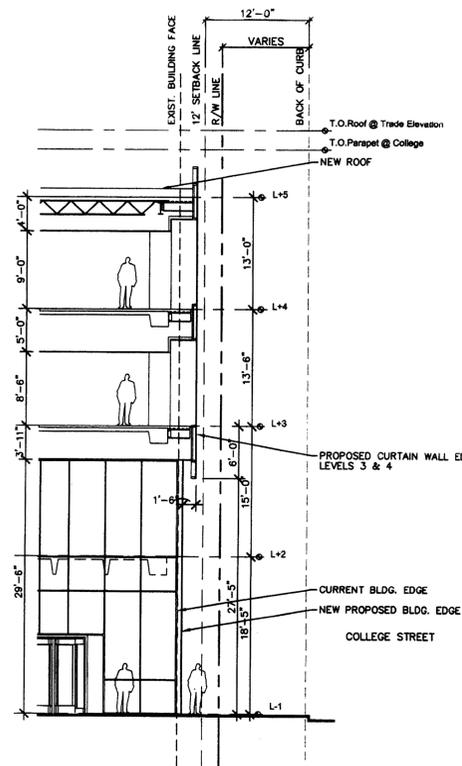
RZ2.0

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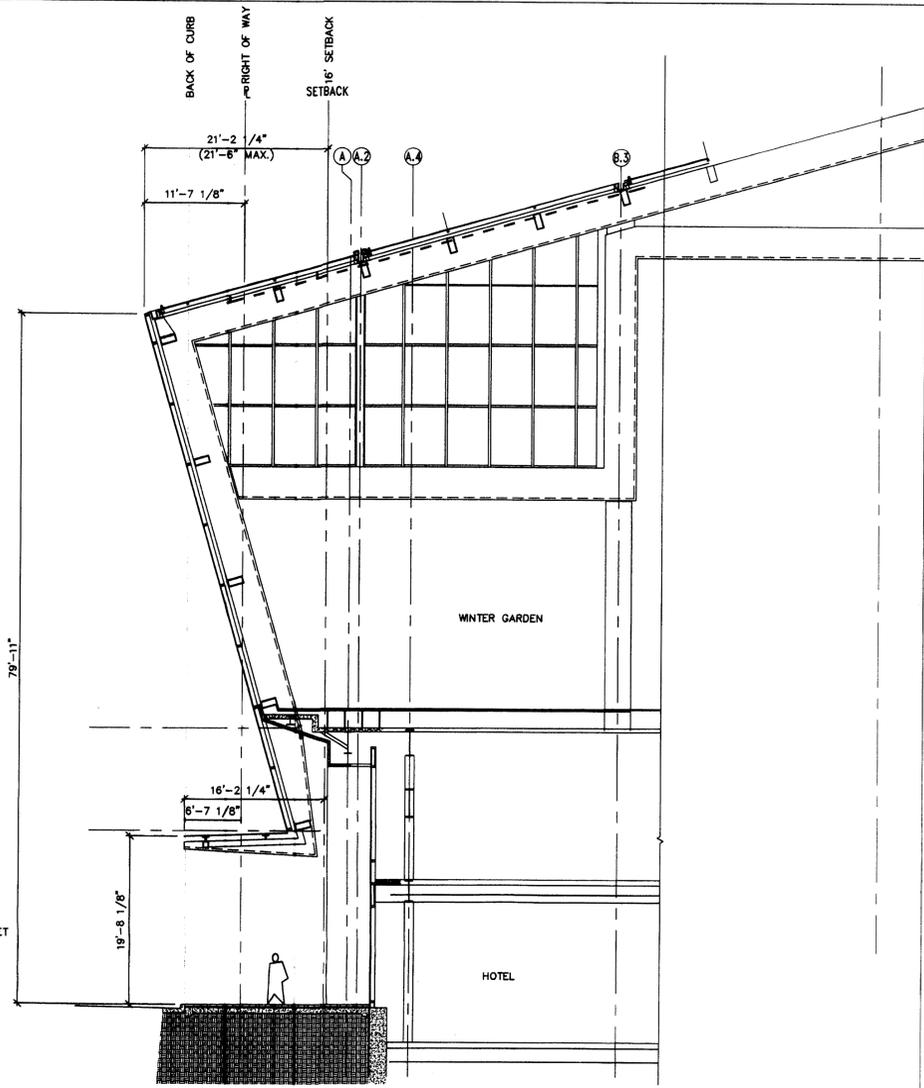
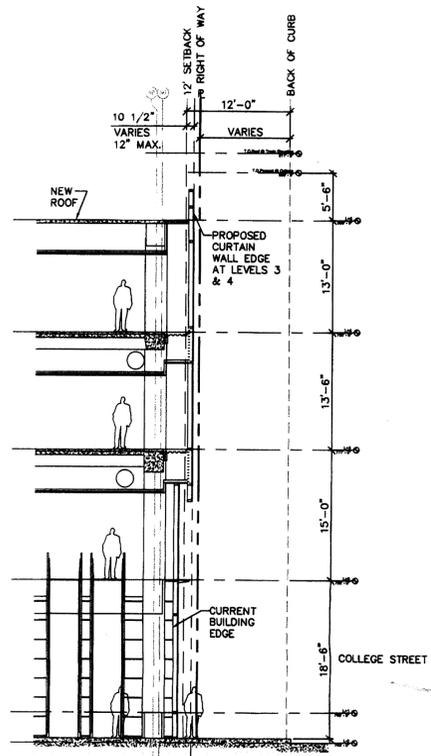
ColeJenest & Stone, P.A. 2007 ©

FOR PUBLIC HEARING

SETBACK ENCROACHMENTS:
FACE OF BUILDING VARIES ALONG COLLEGE ST.
MAXIMUM ENCROACHMENT OF BUILDING AT GRADE IS 6"
MAXIMUM ENCROACHMENT OF BUILDING AT 3RD LEVEL IS 12"
MAXIMUM ENCROACHMENT OF BRIDGE COLUMNS IS 2'-7"



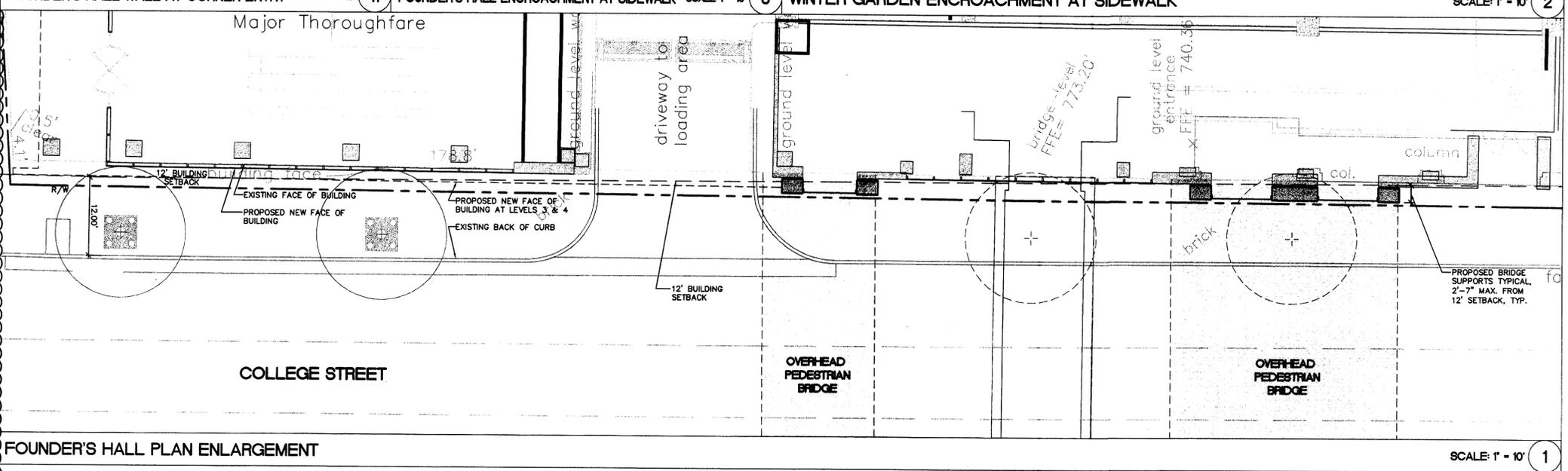
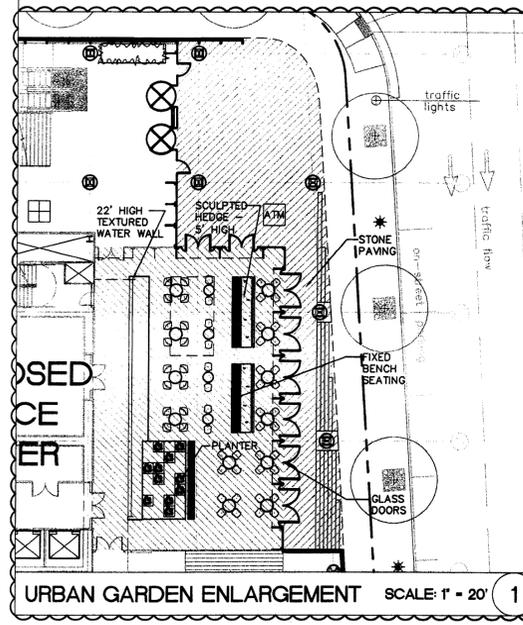
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MAXIMUM ENCROACHMENT OF BRIDGE COLUMNS IS 2'-7"



FOUNDER'S HALL WALL AT CORNER ENTRY SCALE: 1" = 10' 11

FOUNDER'S HALL ENCROACHMENT AT SIDEWALK SCALE: 1" = 10' 8

WINTER GARDEN ENCROACHMENT AT SIDEWALK SCALE: 1" = 10' 2



FOUNDER'S HALL PLAN ENLARGEMENT SCALE: 1" = 10' 1

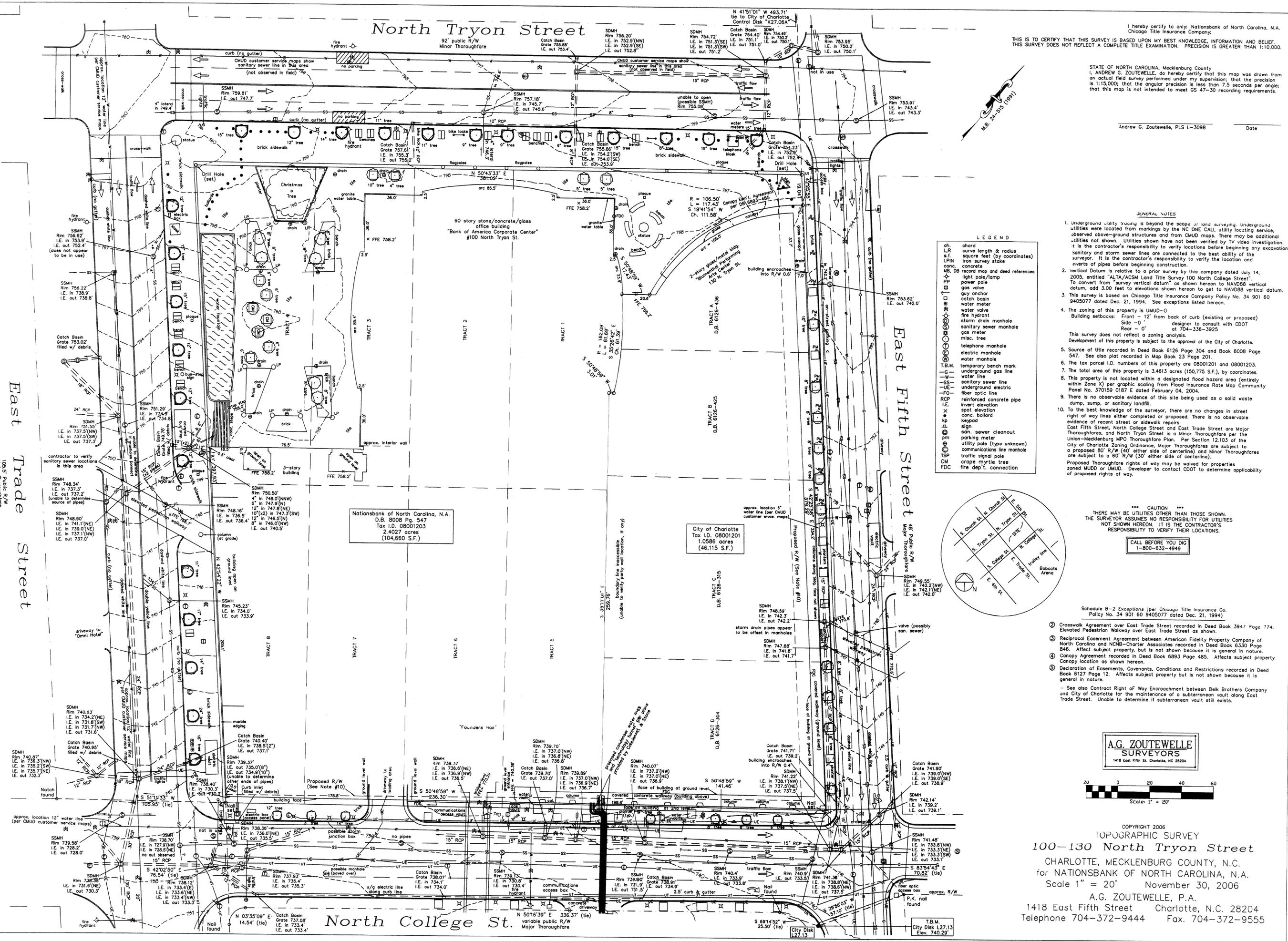
ORIGINAL
P:\Projects\2007\Bank of America\Rezoning\Site\072007\050012.dwg, 8/16/2007 5:00:12 PM, Kemperko, 11

North Tryon Street

I hereby certify that this survey is based upon my best knowledge, information and belief. THIS SURVEY DOES NOT REFLECT A COMPLETE TITLE EXAMINATION. PRECISION IS GREATER THAN 1:10,000.

STATE OF NORTH CAROLINA, Mecklenburg County
I, ANDREW G. ZOUTEWELLE, do hereby certify that this map was drawn from an actual field survey performed under my supervision; that the precision is 1:15,000; that the angular precision is less than 7.5 seconds per angle; that this map is not intended to meet GS 47-30 recording requirements.

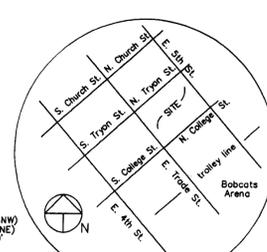
Andrew G. Zoutewelle, PLS L-3098 Date



LEGEND

ch.	chord
L.R.	curve length & radius
S.F.	square feet (by coordinates)
I.PIN	iron survey stake
conc.	concrete
MB, DB	record map and deed references
light pole/lamp	light pole/lamp
PP	power pole
gas valve	gas valve
guy anchor	guy anchor
catch basin	catch basin
water meter	water meter
water valve	water valve
fire hydrant	fire hydrant
storm drain manhole	storm drain manhole
sanitary sewer manhole	sanitary sewer manhole
gas meter	gas meter
misc. tree	misc. tree
telephone manhole	telephone manhole
electric manhole	electric manhole
water manhole	water manhole
T.B.M.	temporary bench mark
underground gas line	underground gas line
water line	water line
sanitary sewer line	sanitary sewer line
underground electric	underground electric
fiber optic line	fiber optic line
reinforced concrete pipe	reinforced concrete pipe
invert elevation	invert elevation
spot elevation	spot elevation
conc. ballard	concrete ballard
keypad	keypad
sign	sign
san. sewer cleanout	sanitary sewer cleanout
parking meter	parking meter
utility pole (type unknown)	utility pole (type unknown)
communications line manhole	communications line manhole
TSP	traffic signal pole
CM	crane myrtle tree
FDC	fire dept. connection

- GENERAL NOTES
- Underground utility tracing is beyond the scope of land surveying. Underground utilities were located from markings by the NC ONE CALL utility locating service, observed above-ground structures and from CMUD maps. There may be additional utilities not shown. Utilities shown have not been verified by TV video investigation. It is the contractor's responsibility to verify locations before beginning any excavation. Sanitary and storm sewer lines are connected to the best quality of the sewer. It is the contractor's responsibility to verify the location and inverts of pipes before beginning construction.
 - Vertical Datum is relative to a prior survey by this company dated July 14, 2005, entitled "ALTA/ACSM Land Title Survey 100 North College Street". To convert from "survey vertical datum" as shown hereon to NAVD88 vertical datum, add 3.00 feet to elevations shown hereon to get to NAVD88 vertical datum.
 - This survey is based on Chicago Title Insurance Company Policy No. 34 901 60 9405077 dated Dec. 21, 1994. See exceptions listed hereon.
 - The zoning of this property is UMUD-0
Building setbacks: Front - 12' from back of curb (existing or proposed)
Side - 0' at 704-336-3925
Rear - 0' at 704-336-3925
This survey does not reflect a zoning analysis.
Development of this property is subject to the approval of the City of Charlotte.
 - Source of title recorded in Deed Book 6126 Page 304 and Book 8008 Page 547. See also plot recorded in Map Book 23 Page 201.
 - The tax parcel I.D. numbers of this property are 08001201 and 08001203.
 - The total area of this property is 3.4613 acres (150,775 S.F.), by coordinates.
 - This property is not located within a designated flood hazard area (entirely within Zone X) per graphic scaling from Flood Insurance Rate Map Community Panel No. 370159 0187 E dated February 04, 2004.
 - There is no observable evidence of this site being used as a solid waste dump, sump, or sanitary landfill.
 - To the best knowledge of the surveyor, there are no changes in street right of way lines either completed or proposed. There is no observable evidence of recent street or sidewalk repairs.
East Fifth Street, North College Street and East Trade Street are Major Thoroughfares, and North Tryon Street is a Minor Thoroughfare per the Union-Mecklenburg MPO Thoroughfare Plan. Per Section 12.103 of the City of Charlotte Zoning Ordinance, Major Thoroughfares are subject to a proposed 80' R/W (40' either side of centerline) and Minor Thoroughfares are subject to a 60' R/W (30' either side of centerline).
Proposed Thoroughfare rights of way may be waived for properties zoned MUD or UMUD. Developer to contact CDOT to determine applicability of proposed rights of way.



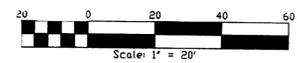
*** CAUTION ***
THERE MAY BE UTILITIES OTHER THAN THOSE SHOWN. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN HEREON. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THEIR LOCATIONS.

CALL BEFORE YOU DIG
1-800-632-4949

Schedule B-2 Exceptions (per Chicago Title Insurance Co. Policy No. 34 901 60 9405077 dated Dec. 21, 1994)

- Crosswalk Agreement over East Trade Street recorded in Deed Book 3947 Page 774. Elevated Pedestrian Walkway over East Trade Street as shown.
 - Reciprocal Easement Agreement between American Fidelity Property Company of North Carolina and NCB-Charter Associates recorded in Deed Book 6330 Page 846. Affect subject property, but is not shown because it is general in nature.
 - Conopy Agreement recorded in Deed Book 6893 Page 485. Affects subject property Conopy location as shown hereon.
 - Declaration of Easements, Covenants, Conditions and Restrictions recorded in Deed Book 8127 Page 12. Affects subject property but is not shown because it is general in nature.
- See also Contract Right of Way Encroachment between Belk Brothers Company and City of Charlotte for the maintenance of a subterranean vault along East Trade Street. Unable to determine if subterranean vault still exists.

A.G. ZOUTEWELLE
SURVEYORS
1418 East Fifth Street, Charlotte, NC 28204



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TOPOGRAPHIC SURVEY
100-130 North Tryon Street
CHARLOTTE, MECKLENBURG COUNTY, N.C.
for NATIONSBANK OF NORTH CAROLINA, N.A.
Scale 1" = 20' November 30, 2006
A.G. ZOUTEWELLE, P.A.
1418 East Fifth Street Charlotte, N.C. 28204
Telephone 704-372-9444 Fax: 704-372-9555

ORIGINAL