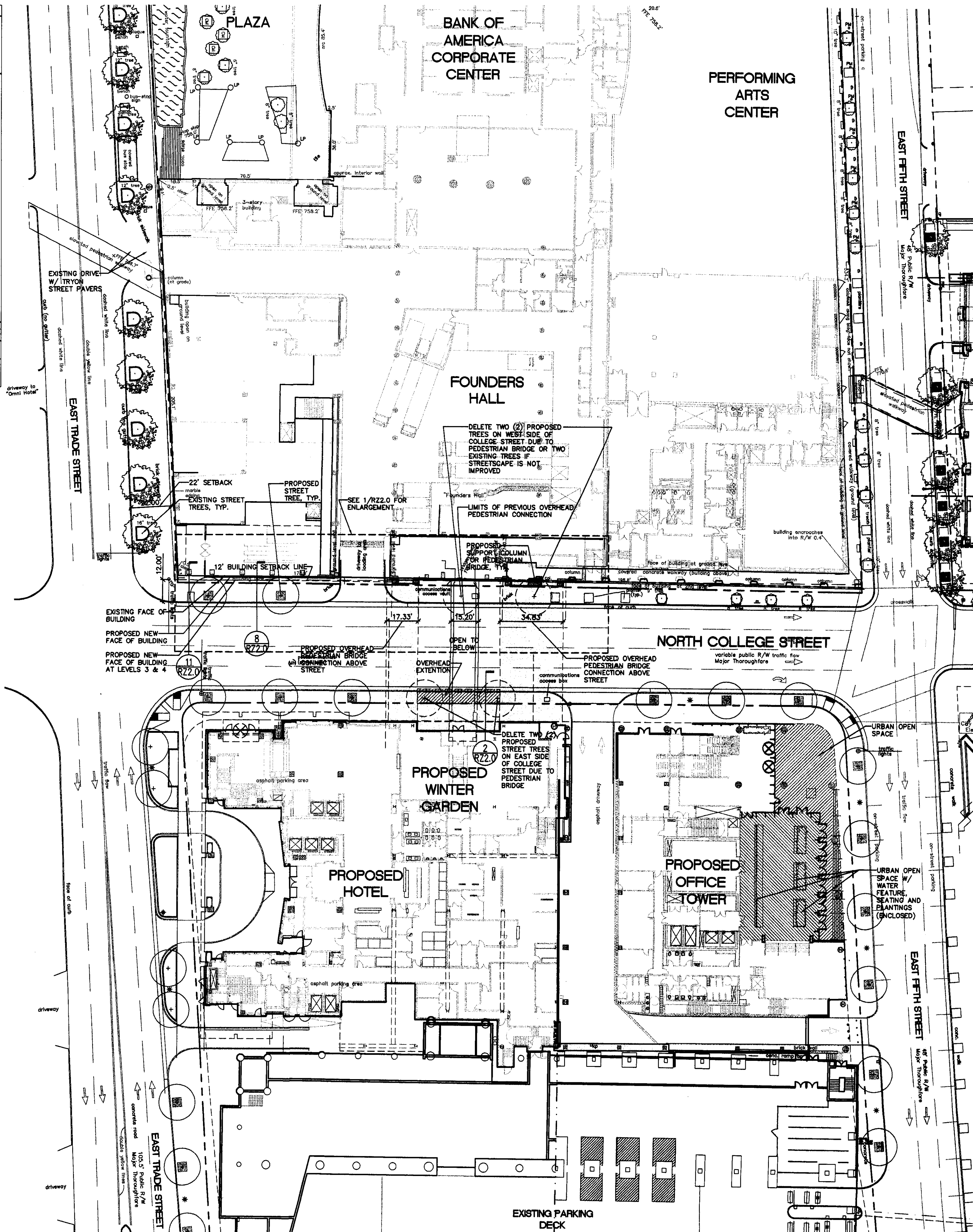
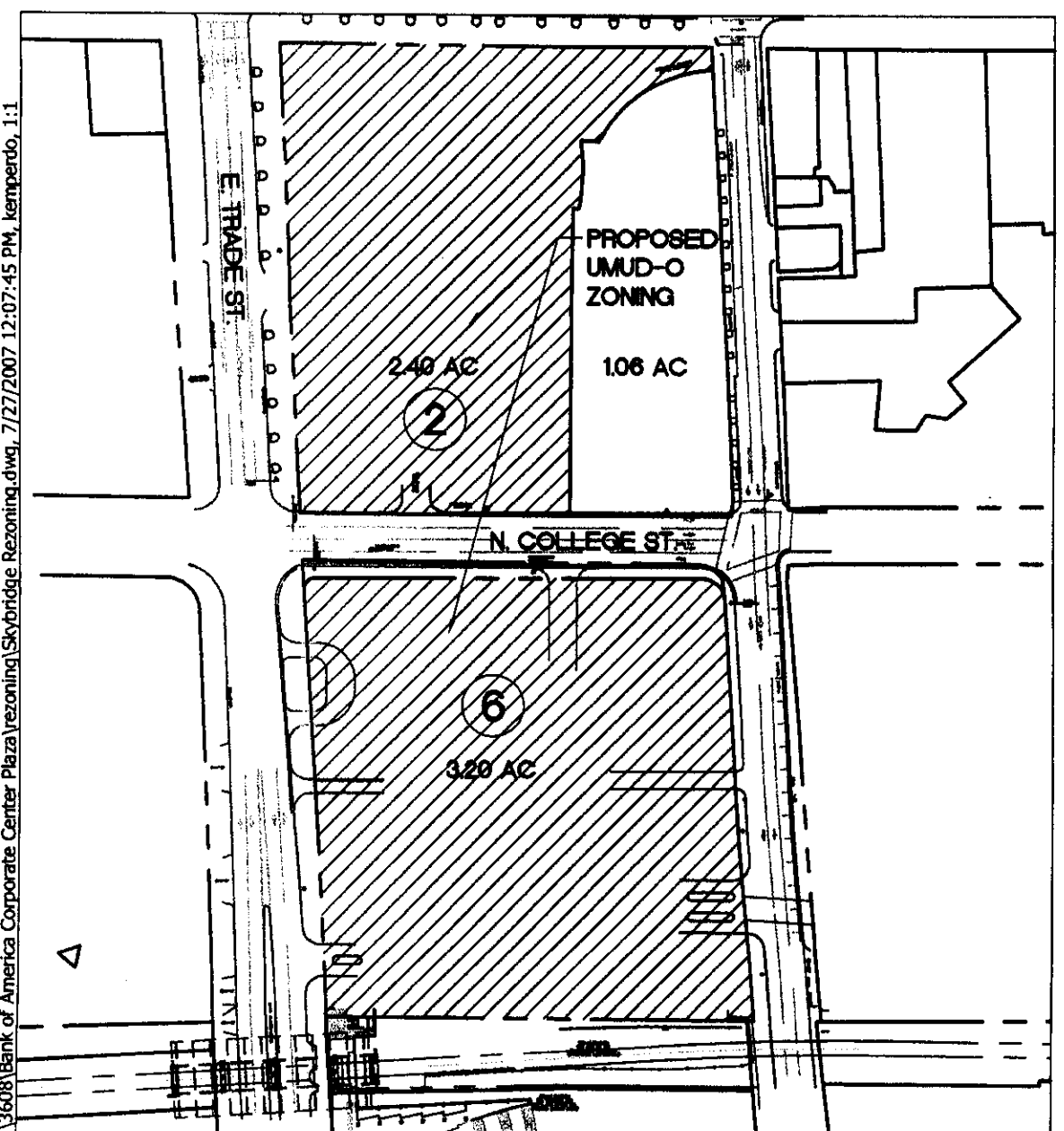


ADJACENT PROPERTY OWNERS:

- 132 E. TRADE ST.
TRADE TRYON HOTEL
COMPANY, LLC.
PID#: 12501225
- 100 N. TRYON ST., SUITE 2600
NATIONSBANK N A AND
LINCOLN HARRIS LLC
PID#: 08001203
- 130 N. TRYON ST.
CITY OF CHARLOTTE
PID#: 08001201
- 214 N. TRYON ST.
TWO HUNDRED FOURTEEN
NORTH AND WORKPLACE
FINANCE C/O BANK OF
AMERICA CORPORATE
PID#: 08001111
- 200 N. COLLEGE ST.
NATIONSBANK N A
WORKPLACE FINANCE C/O
BANK OF AMERICA
CORPORATE
PID#: 08001409A
- 100 N. COLLEGE ST.
NATIONSBANK N A AND
LINCOLN PROP CO
PID#: 08001303
- 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 a lot 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"), 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 Streets 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 variation(s) 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 variation(s) from the minimum UMUD standards (beyond those variations allowed in 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 of the Ordinance shall apply. Development of the Site in accordance with the "Rezoning Plan" shall be subject to the provisions of the Ordinance. 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 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 variations 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 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 Improvements
(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 9.06(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 lieu of trees for this area. The area shall be designed substantially in the manner and contain the features set forth on Sheet R2 1.0 of the Rezoning Plan; provided, however, Petitioner also reserves the right to satisfy the open space requirements by other means in accordance with the Ordinance.
D. Other Development Alternatives Under UMUD Without Optional Variations
It is understood that the variation(s) 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 process.
F. Binding Effect of the Rezoning Documents and Definitions
If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under this Technical Data Sheet in accordance with Development Alternative A, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
Throughout these Development Standards, the terms "Petitioner" and "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.

Charlotte Raleigh

Cole Jenest & Stone
Shaping the Environment
Realizing the Possibilities
Land Planning
Landscape Architecture
Civil Engineering
Urban Design

200 South Tryon Street, Suite 1400 Charlotte, NC 28202
704.376.1555 • 704.376.7853 • www.colejeneststone.com

Bank of America

Bank of America
College Street
Rezoning

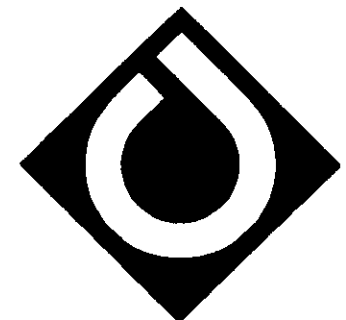
Technical
Data Sheet 1
Petition #: 2007-107

Project No.
3700
Issued
06/14/07
Revised
07/27/07 - PER OWNER & CMPC COMMENTS

SCALE: 1" = 30'
0 15 30 60

RZ1.0

The drawings, the project manual and the design shown thereon are instruments of ColeJenest & Stone, P.A.. The reproduction or unauthorized use of the documents without consent of ColeJenest & Stone, P.A. is prohibited.
ColeJenest & Stone, P.A. 2007 ©



**ColeJenest
& Stone**

Shaping the Environment
Realizing the Possibilities

Land Planning
Landscape Architecture
Civil Engineering
Urban Design

300 South Tryon Street, Suite 1400 Charlotte, NC 28202
P: 704.376.1555 F: 704.376.7851 www.colejeneststone.com

**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

SCALE: 1" = 10'

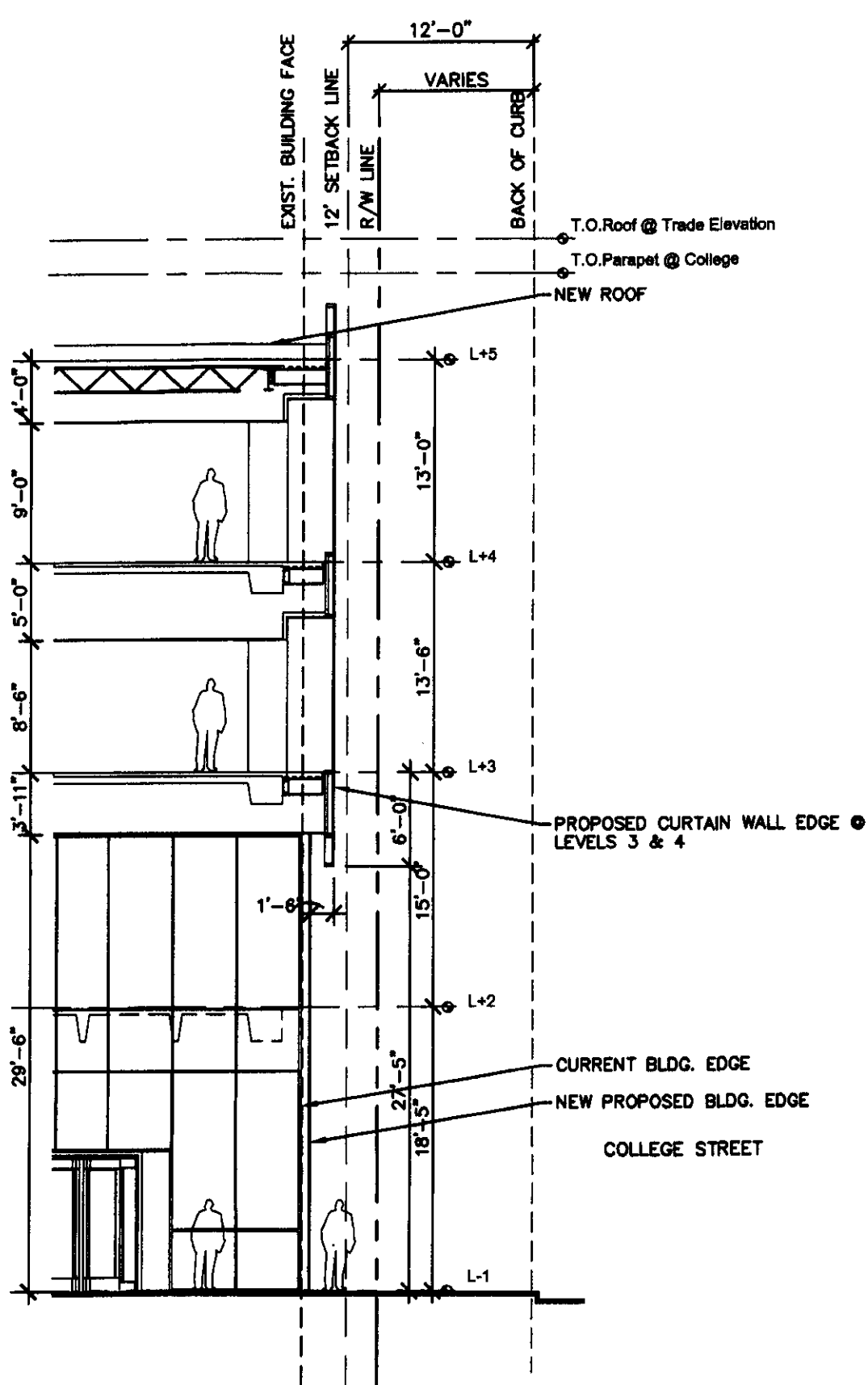
0 5 10 20

RZ2.0

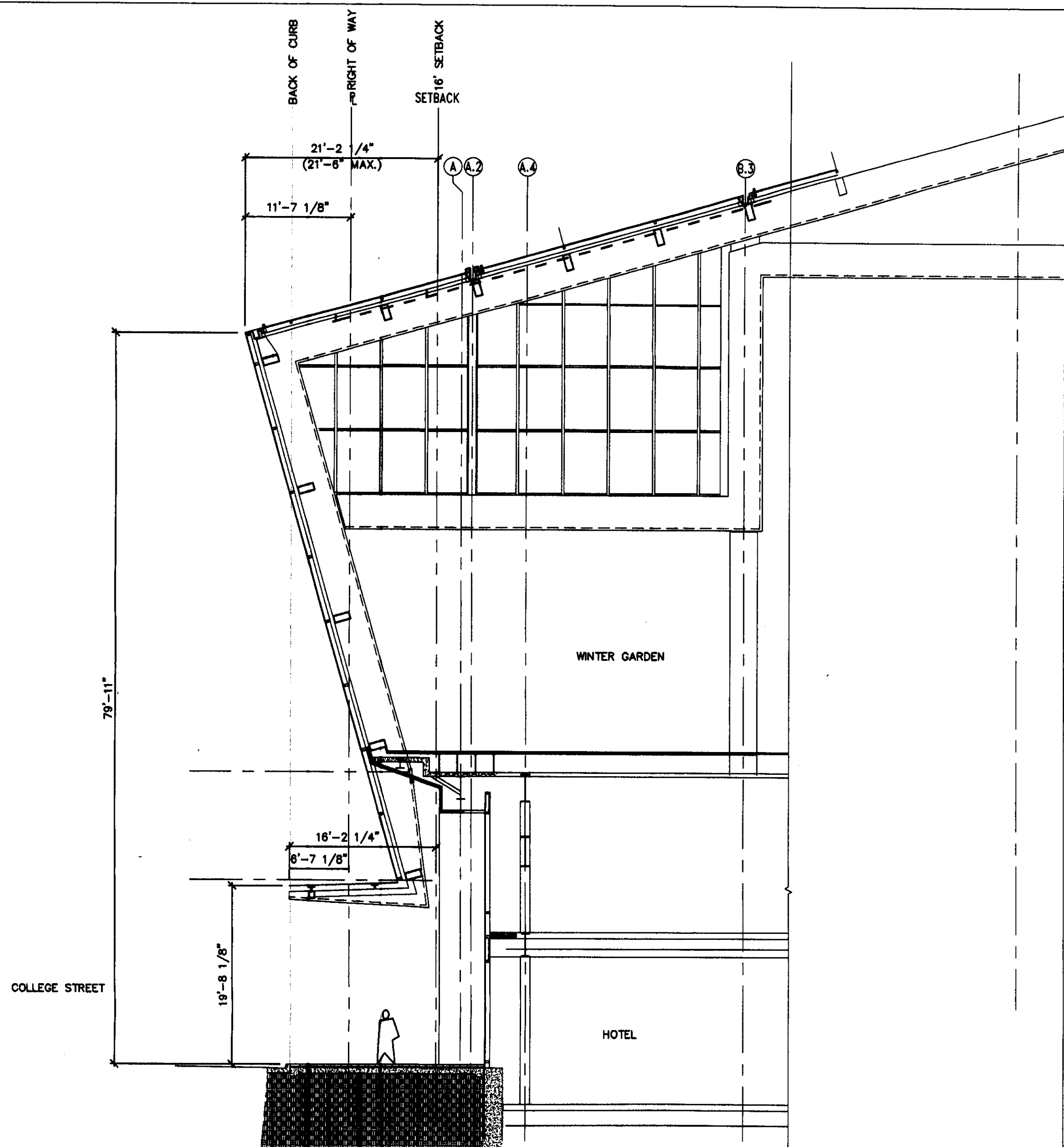
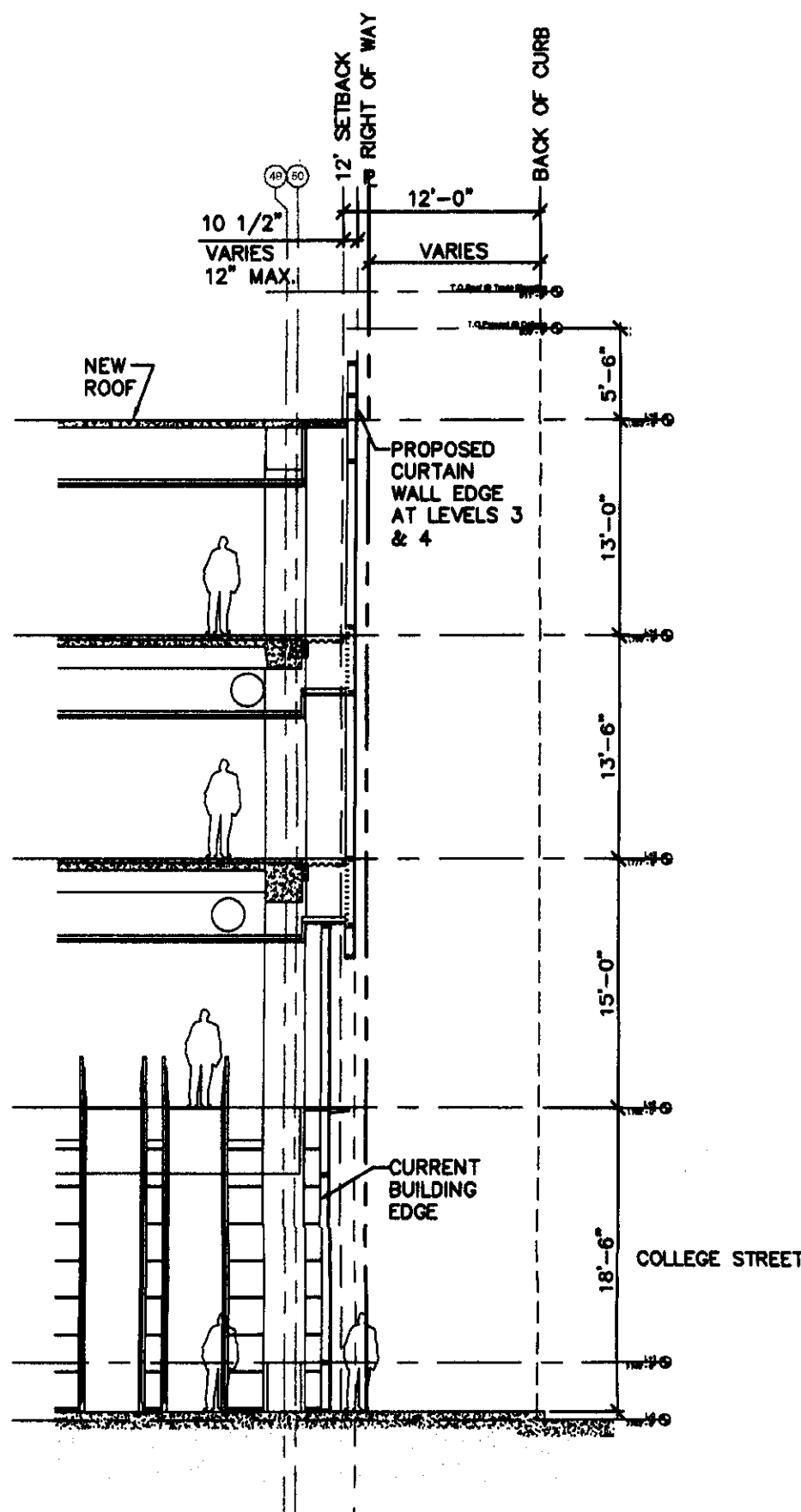
The drawings, the project manual and the design shown thereon are instruments of ColeJenest & Stone, P.A.. The reproduction or unauthorized use of the documents without consent of ColeJenest & Stone, P.A. is prohibited.

ColeJenest & Stone, P.A. 2007 ©

SETBACK ENCROACHMENTS:
FACE OF BUILDING VARIES ALONG COLLEGE ST.
MAXIMUM ENCROACHMENT OF BUILDING AT GRADE IS 8"
MAXIMUM ENCROACHMENT OF BUILDING AT 3RD LEVEL IS 12"
MAXIMUM ENCROACHMENT OF BRIDGE COLUMNS IS 2'-7"



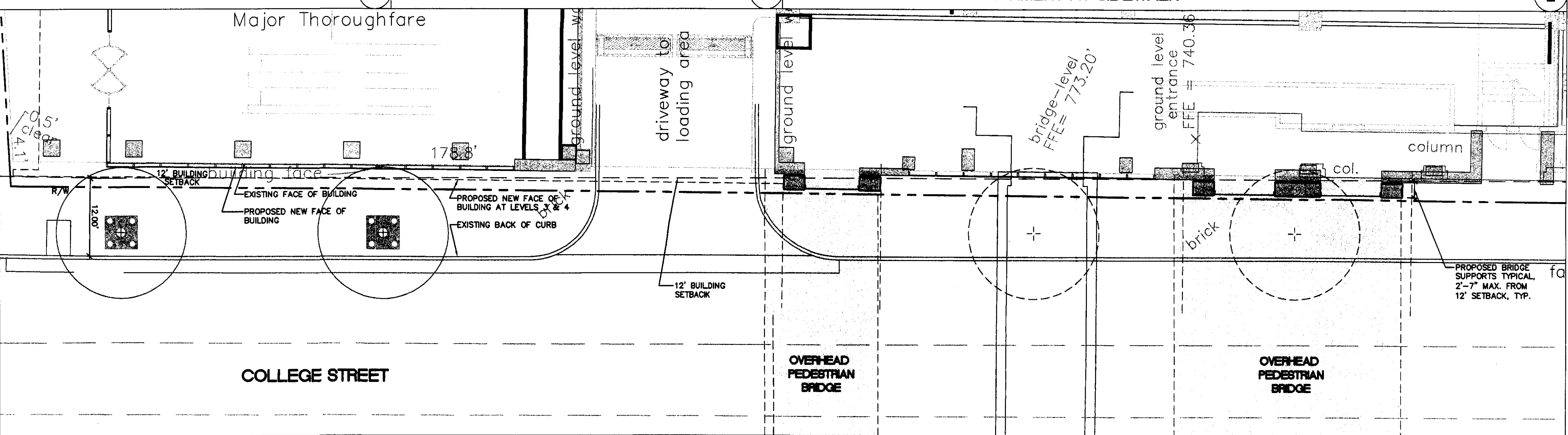
SETBACK ENCROACHMENTS:
FACE OF BUILDING VARIES ALONG COLLEGE ST.
MAXIMUM ENCROACHMENT OF BUILDING AT GRADE IS 8"
MAXIMUM ENCROACHMENT OF BUILDING AT 3RD LEVEL IS 12"
MAXIMUM ENCROACHMENT OF BRIDGE COLUMNS IS 2'-7"



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

North Tryon Street

92' public R/W
Minor Thoroughfare

I hereby certify to only Nationsbank of North Carolina, N.A.
Chicago Title Insurance Company;
THIS IS TO 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

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 ability of the surveyor. 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 herein.
- 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.

*** 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 NCNB-Charter Associates recorded in Deed Book 6330 Page 846. Affect subject property, but is not shown because it is general in nature.
- Canopy Agreement recorded in Deed Book 6993 Page 485. Affects subject property Canopy location as shown hereon.
- Declaration of Easements, Covenants, Conditions and Restrictions recorded in Deed Book 6127 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 St. Charlotte, NC 28204

Scale: 1" = 20'

COPYRIGHT 2006
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

LEGEND

ch	chord
L.R.	curve length & radius
s.f.	square feet (by coordinates)
IPIN	iron survey stake
conc.	concrete
MB, DB	record map and deed references
light pole/lamp	light pole/lamp
power pole	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
temporary bench mark	temporary bench mark
T.B.M.	T.B.M.
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
RCP	reinforced concrete pipe
I.E.	invert elevation
spot elevation	spot elevation
con. bollard	con. bollard
sign	sign
son. sewer cleanout	son. sewer cleanout
parking meter	parking meter
utility pole (type unknown)	utility pole (type unknown)
communications line manhole	communications line manhole
traffic signal pole	traffic signal pole
crane myrtle tree	crane myrtle tree
fire dept. connection	fire dept. connection

