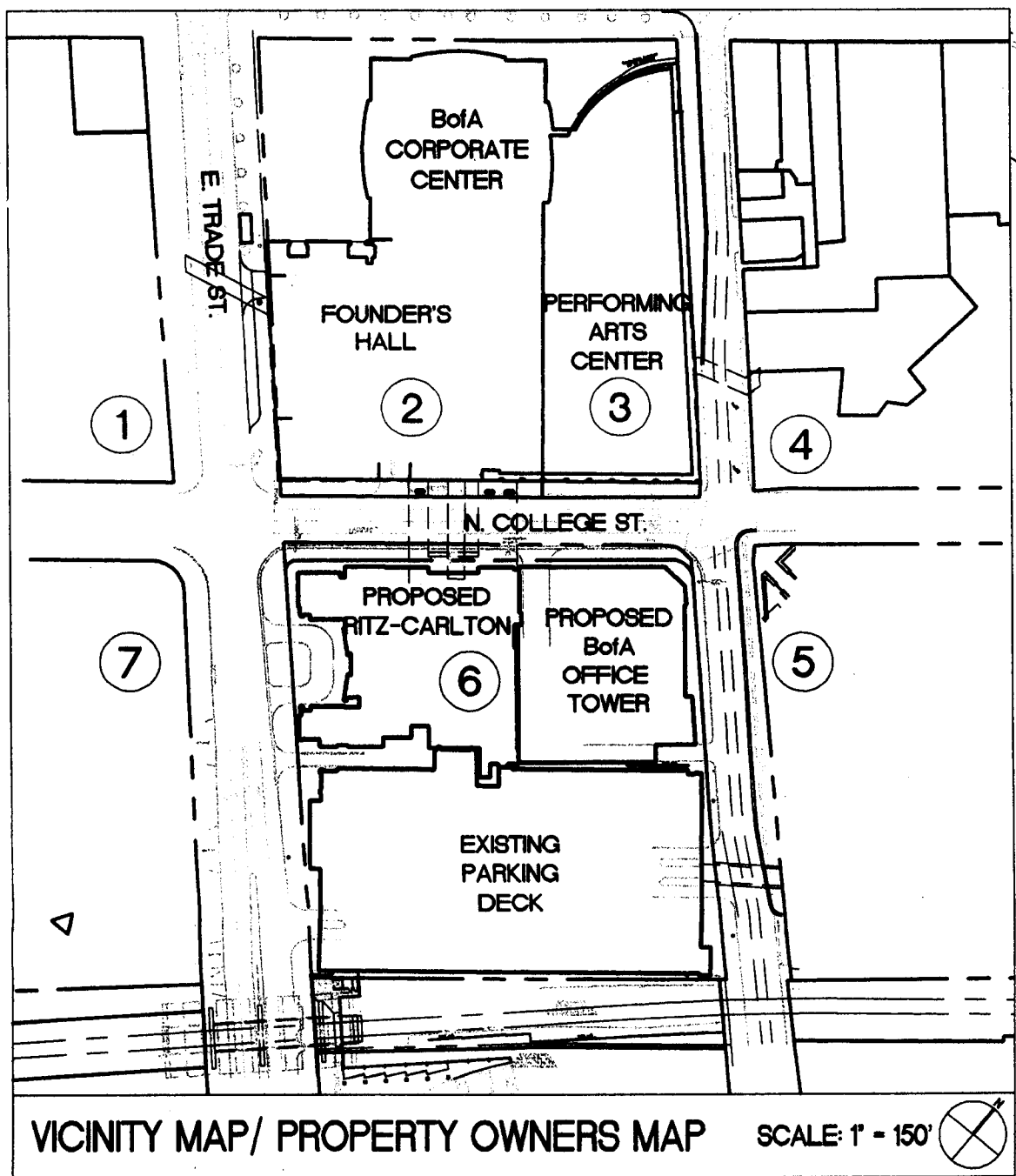
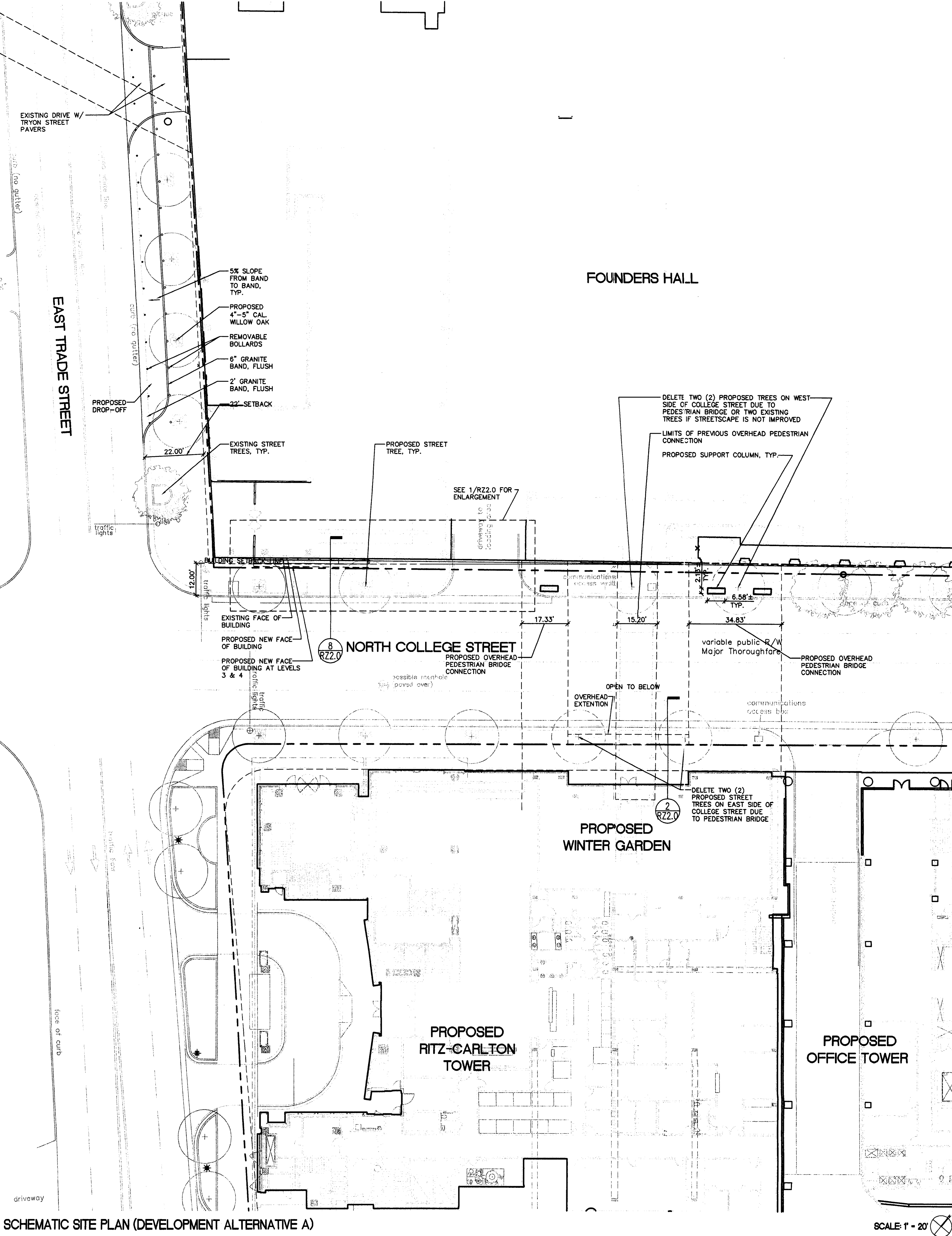
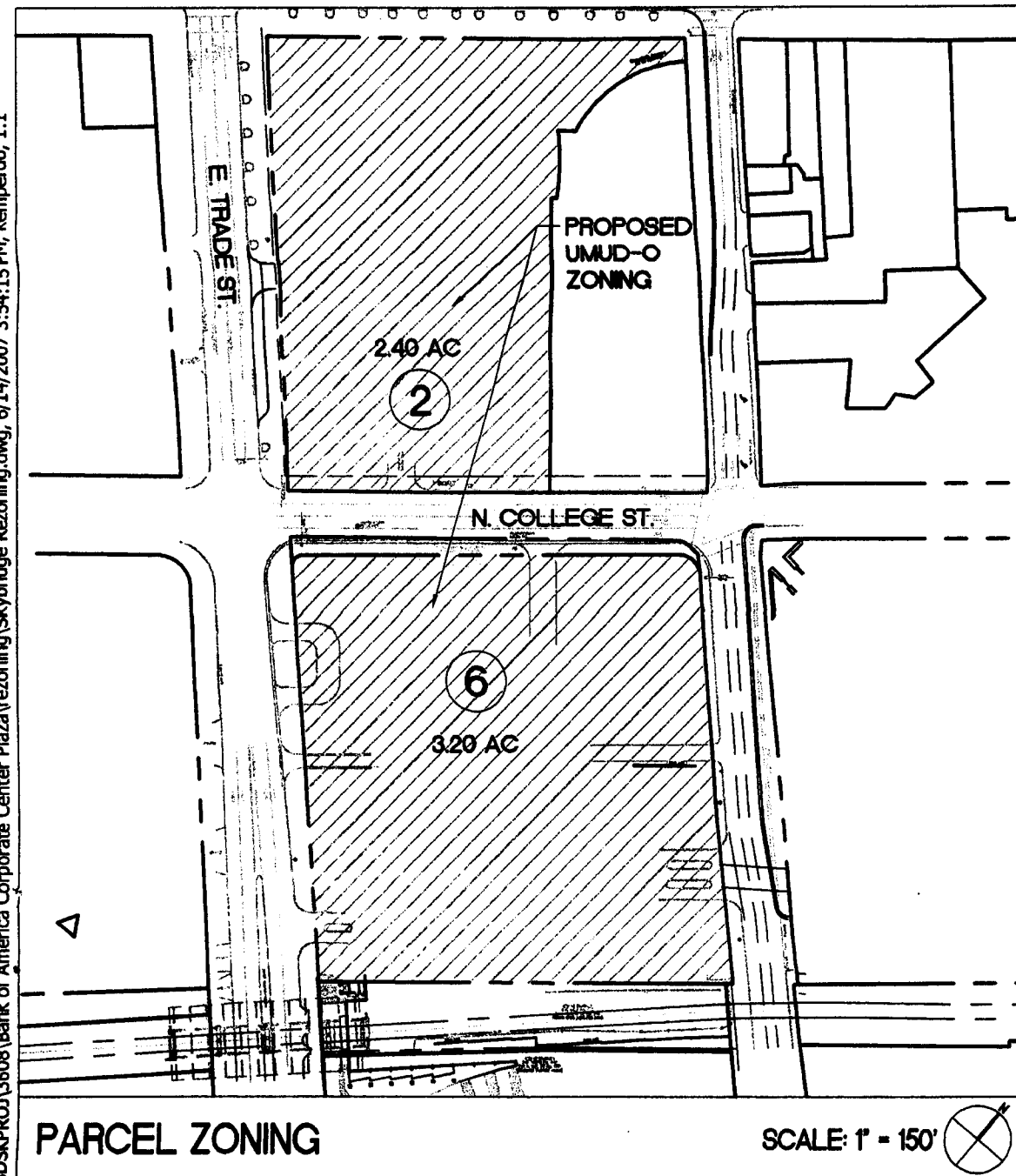




ADJACENT PROPERTY OWNERS:

- 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
(June 12, 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, 1999 ("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 variations 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 an overhead pedestrian connection over College Street to connect the College Street Site and the Tryon Street Site, certain building and streetscape improvements that will encroach into the College Street setback, and a new valet/vehicular drop-off area along Trade Street. 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 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 for the Tryon Street Site. Development on the Site in accordance with the Other Development Alternatives (as described 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 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.

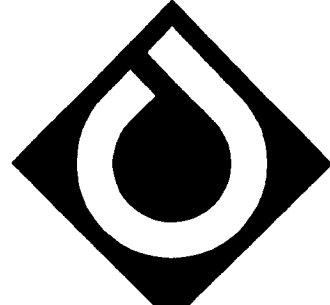
- Overhead Pedestrian Bridge Encroachments and Streetscape.
 - Construction of an overhead pedestrian connection, spanning across North College Street and connecting existing improvements on the Tryon Street Site to the proposed winter garden, as generally depicted on the Rezoning Plan, and the encroachment of such improvements into the College Street setback and right of way, provided however any such encroachments into the public right of way shall be subject to review and approval by CDOT of an acceptable encroachment agreement.
 - Reduction of four (4) required street trees located directly below the proposed overhead pedestrian connection to include two (2) proposed trees on the east side of College Street and two proposed trees on the west side of College Street.
 - Structural columns to support the proposed overhead pedestrian connection may be located within the College Street setback and the College Street right-of-way adjacent to the improvements on the Tryon Street Site in the manner generally depicted on the Rezoning Plan; provided, however, any such encroachments into the public right-of-way shall be subject to review and approval by CDOT of an acceptable encroachment agreement.
 - Encroachments into the College Street right of way for air rights improvements associated with the overhead pedestrian connection shall be permitted as generally depicted on the Rezoning Plan subject to review and approval by CDOT of an acceptable encroachment agreement.
- Winter Garden Encroachments.
 - Construction of an extension of the winter garden area located on the College Street Parcel within the limits of the overhead pedestrian connection may encroach into the College Street setback and right of way as generally depicted on the Rezoning Plan; provided, however, any such encroachments into the public right-of-way shall be subject to review and approval by CDOT of an acceptable encroachment agreement.
- Founders Hall and Facade Improvements.
 - Construction of a new building facade (associated with the proposed renovation of the existing Founders Hall building) may encroach into the College Street setback as generally depicted on the Rezoning Plan; provided, however, any such encroachments into the public right-of-way shall be subject to review and approval by CDOT of an acceptable encroachment agreement.
- Trade Street Valet Drop-off.
 - A new valet drop-off on Trade Street to serve the Tryon Street Site may encroach into the Trade Street setback and right-of-way in the manner generally depicted on the Rezoning Plan and may include the removal of four existing willow oaks along Trade Street, subject to the replacement of such trees in the manner generally depicted on the Rezoning Plan. The resulting cross-section along Trade Street will provide for an offset from the existing curb line and the addition of removable bollards to maximize sidewalk use and promote pedestrian and vehicular safety. Any such encroachments into the public right-of-way shall be subject to review and approval by CDOT of an acceptable encroachment agreement.

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 submittal process.

F. Binding Effect of the Rezoning Documents and Definitions
1. 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, will, 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.
2. 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.



ColeJenest & Stone
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Realizing the Possibilities

Land Planning
Landscape Architecture
Civil Engineering
Urban Design

200 South Tryon Street, Suite 1400 Charlotte, NC 28202
P: 704.376.1555 F: 704.376.1783 W: www.colejeneststone.com

Bank of America

Bank of America
College Street
Rezoning

Technical
Data Sheet 1
Petition #: 07-XX

Project No.
3700

Issued
06/14/07

2007-107

Revised

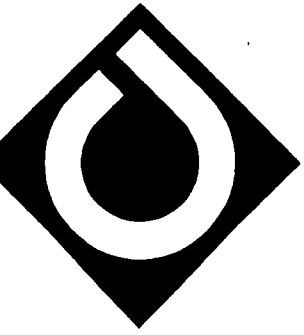
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RZ1.0

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

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Urban Design

200 South Tryon Street, Suite 1400 Charlotte, NC 28202
P: 704.376.7555 F: 704.376.7851 W: www.colejeneststone.com

**Bank of
America**

**Bank of America
College Street
Rezoning**

**Technical
Data Sheet 2
Petition #: 07-XX**

Project No.

3700

Issued

06/14/07

Revised

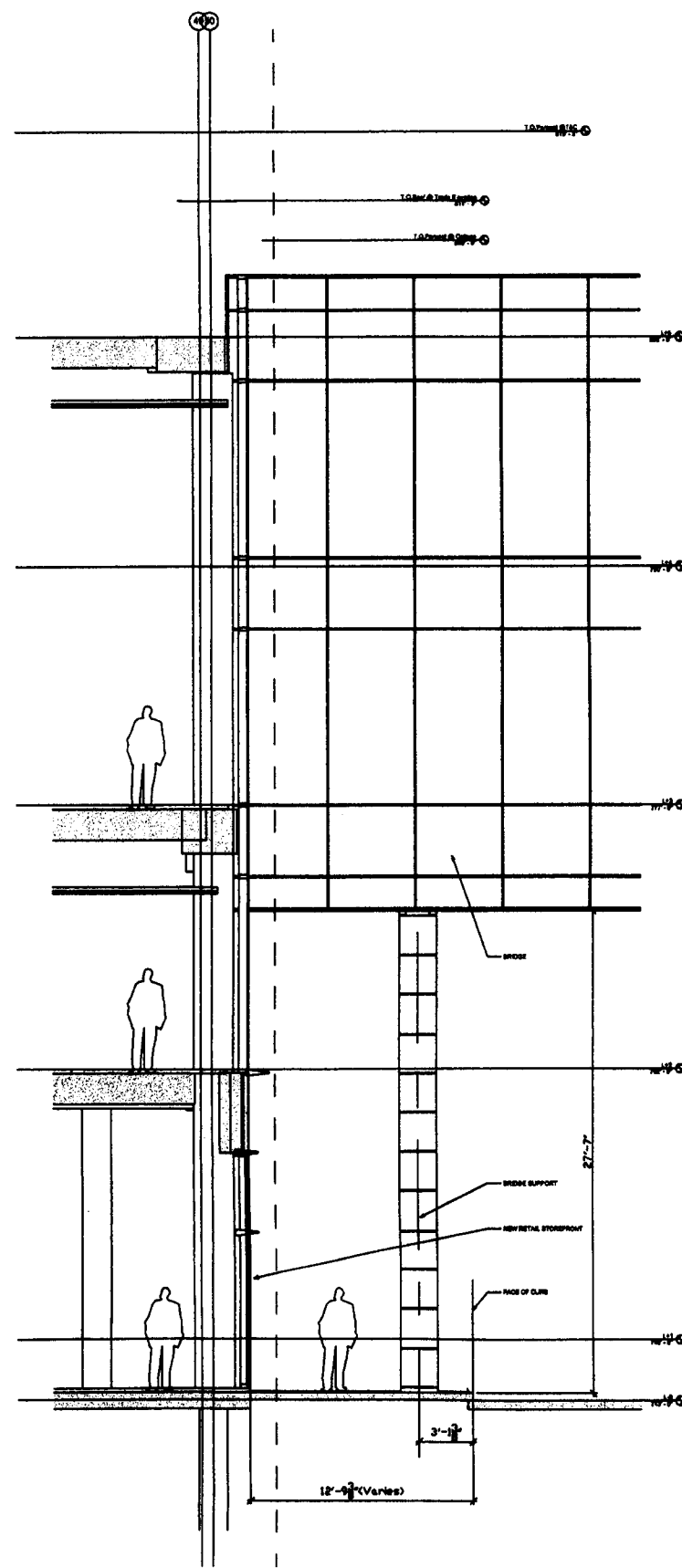
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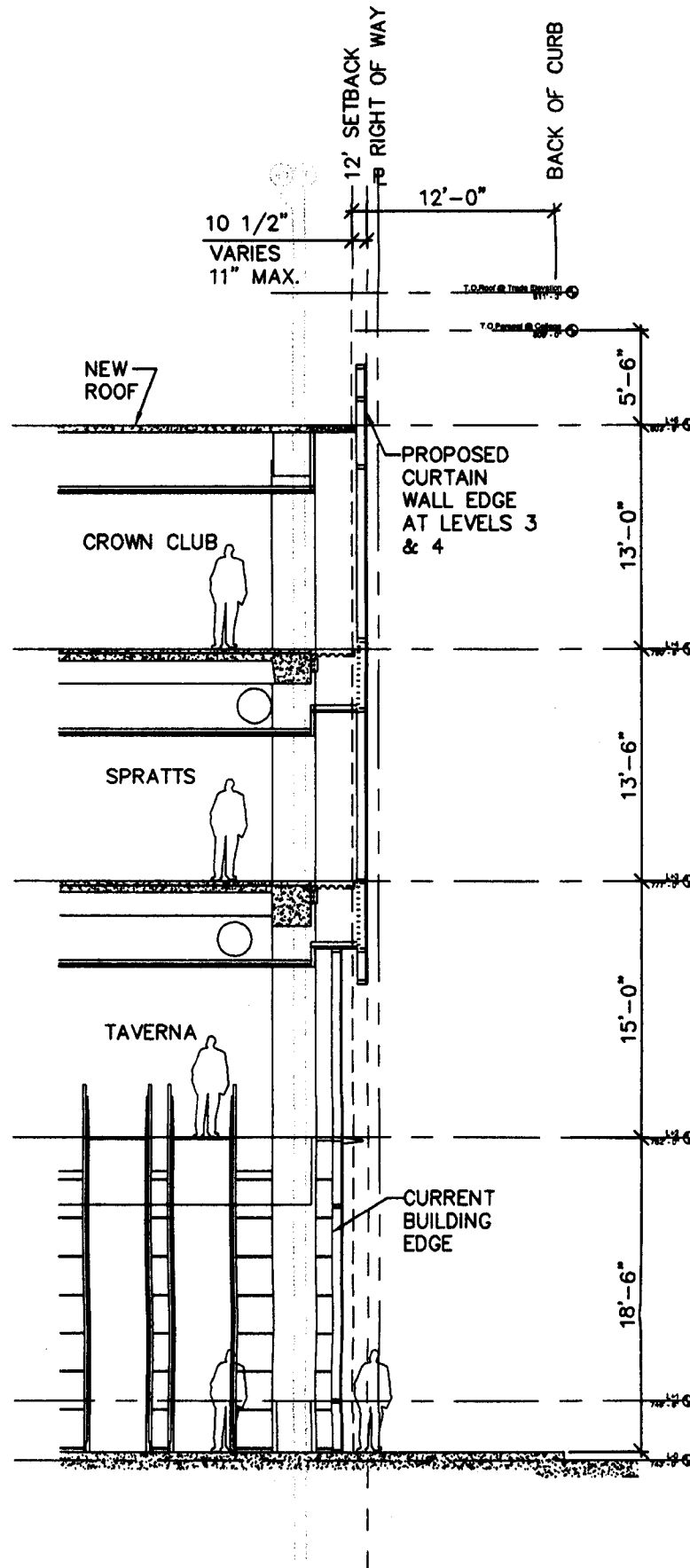
ColeJenest & Stone, P.A. 2007 ©



FOUNDER'S HALL SECTION AT SKYBRIDGE

SCALE: 1" = 10'

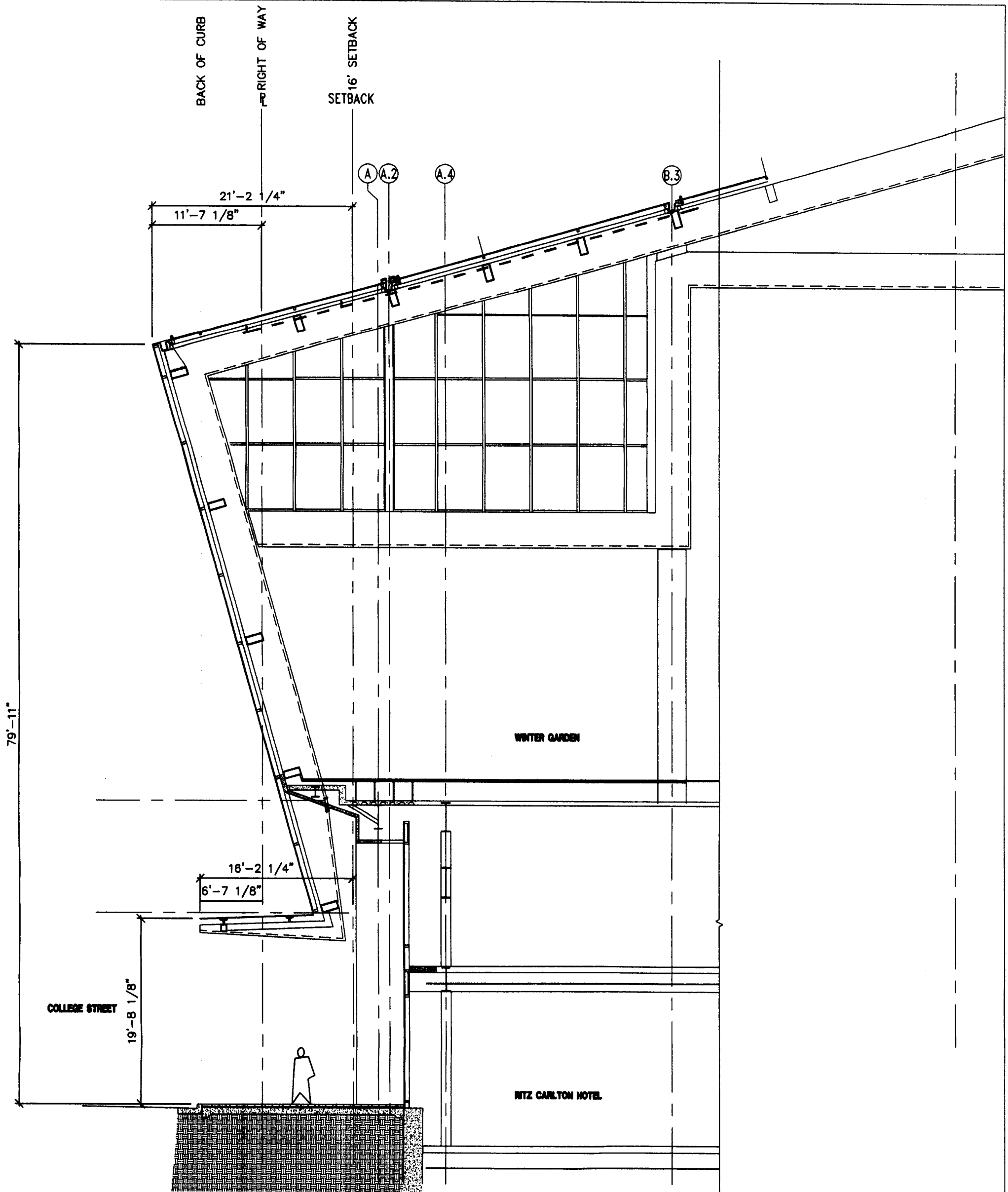
11



FOUNDER'S HALL ENCROACHMENT

SCALE: 1" = 10'

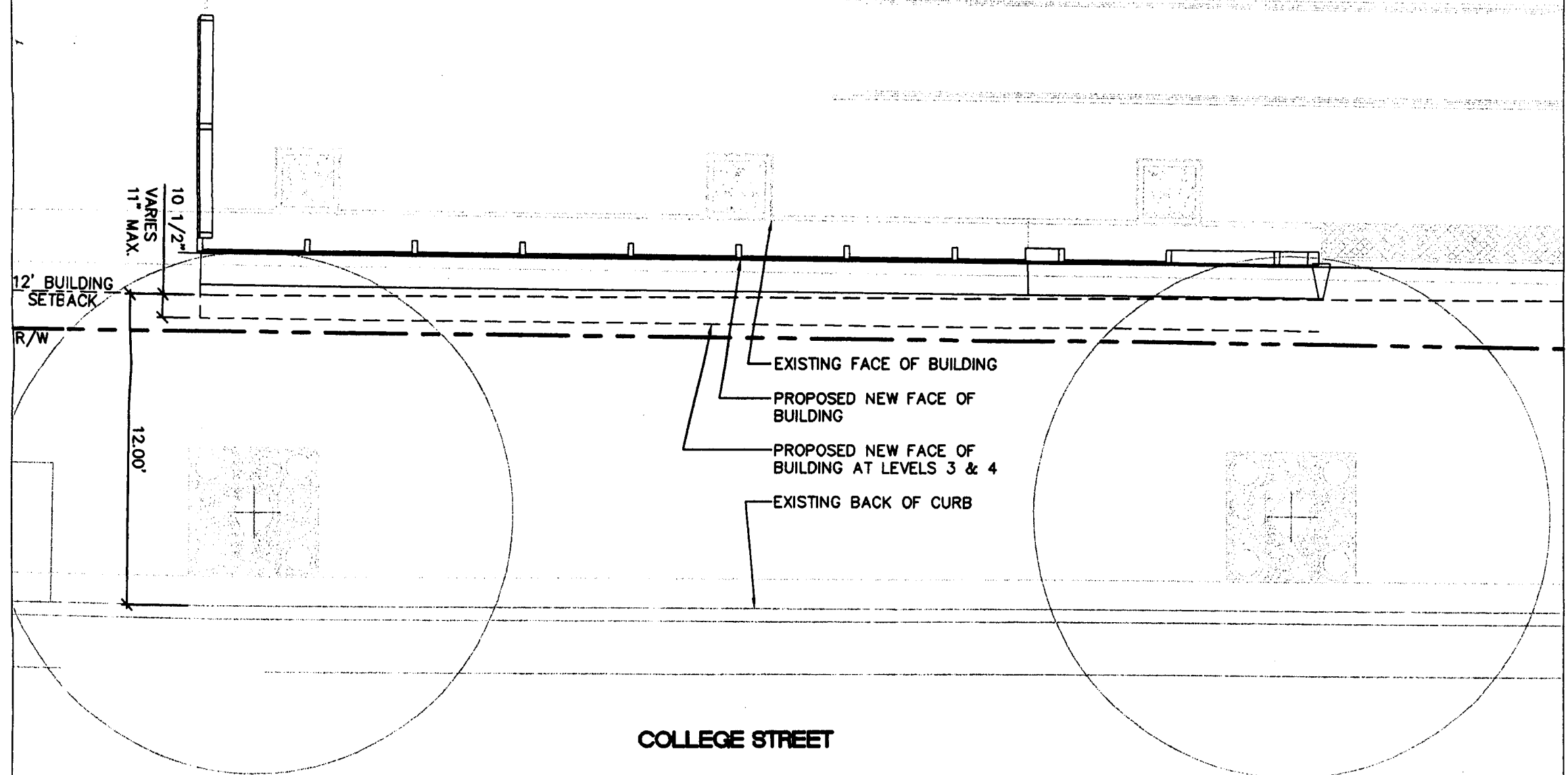
8



WINTER GARDEN ENCROACHMENT AT SIDEWALK

SCALE: 1" = 10'

2



FOUNDER'S HALL ENLARGEMENT

SCALE: 1" = 5'

1

North Tryon Street

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 NAVD83 vertical datum, add 3.00 feet to elevations shown hereon to get to NAVD83 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-O.
Building setbacks: Front - 12' from back of curb (existing or proposed)
Side - 0' designer to consult with CDDT
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 plat 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 CDDT 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)

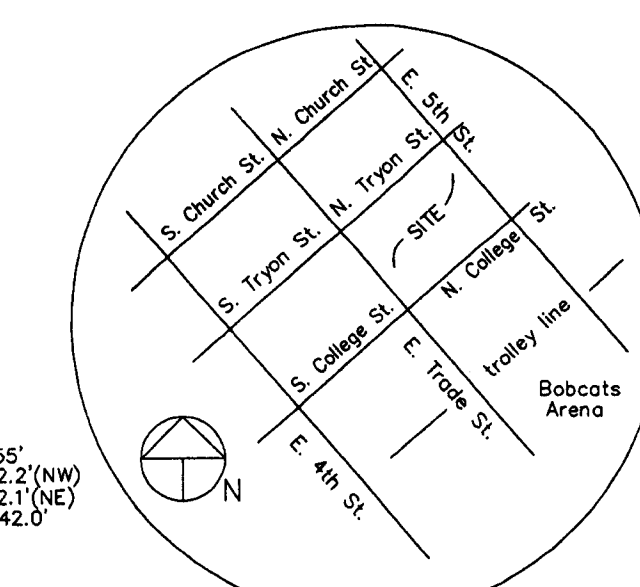
- Crosswalk Agreement over East Trade Street recorded in Deed Book 3947 Page 774. Elevated Pedestrian Walkway over East Trade Street as shown.
 - Reciprocal Easement Agreement between American Fidelity Property Company of North Carolina and NCB-Charter Associates recorded in Deed Book 6330 Page 846. Affect subject property, but is not shown because it is general in nature.
 - Canopy Agreement recorded in Deed Book 6893 Page 485. Affects subject property Canopy location as shown hereon.
 - Declaration of Easements, Covenants, Conditions and Restrictions recorded in Deed Book 6127 Page 132. 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

Scale: 1" = 20'

COPYRIGHT 2006
TOPOGRAPHIC SURVEY
100-130 North Tryon Street
CHARLOTTE, MECKLENBURG COUNTY, N.C.
for NATIONS BANK 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)
I.PIN	iron survey stake
conc.	concrete
M.B.	record map and deed references
PP	light pole/lamp
PP	power pole
PP	gas valve
PP	guy anchor
PP	catch basin
PP	water meter
PP	water valve
PP	fire hydrant
PP	storm drain manhole
PP	sanitary sewer manhole
PP	gas meter
PP	misc. tree
PP	telephone manhole
PP	electric manhole
PP	water manhole
PP	temporary bench mark
PP	underground gas line
PP	sanitary sewer line
PP	underground electric
PP	fiber optic line
PP	reinforced concrete pipe
PP	invert elevation
PP	spot elevation
PP	con. ballard
PP	keg/pole
PP	sign
PP	san. sewer cleanout
PP	parking meter
PP	communications line manhole
PP	traffic signal pole
PP	crane myrtle tree
PP	fire dept. connection



North College St.

Nationsbank of North Carolina, N.A.
D.B. 8008 Pg. 547
Tax I.D. 08001203
2.4027 acres
(104,660 S.F.)

City of Charlotte
Tax I.D. 08001201
1.0586 acres
(46,115 S.F.)

TRACT A
D.B. 6126-425

TRACT B
D.B. 6126-304

TRACT C
D.B. 6126-304

TRACT D
D.B. 6126-304

TRACT 7

TRACT 6

TRACT 5

TRACT 4

TRACT 3

TRACT 2

TRACT 1

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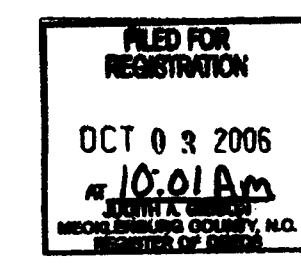
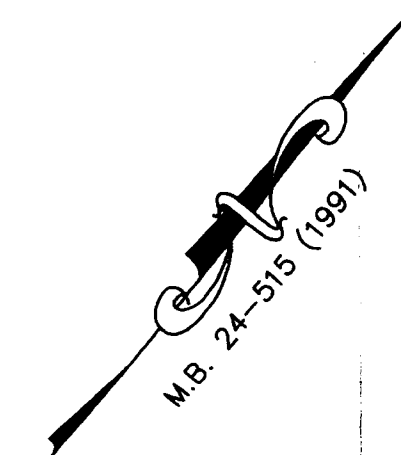
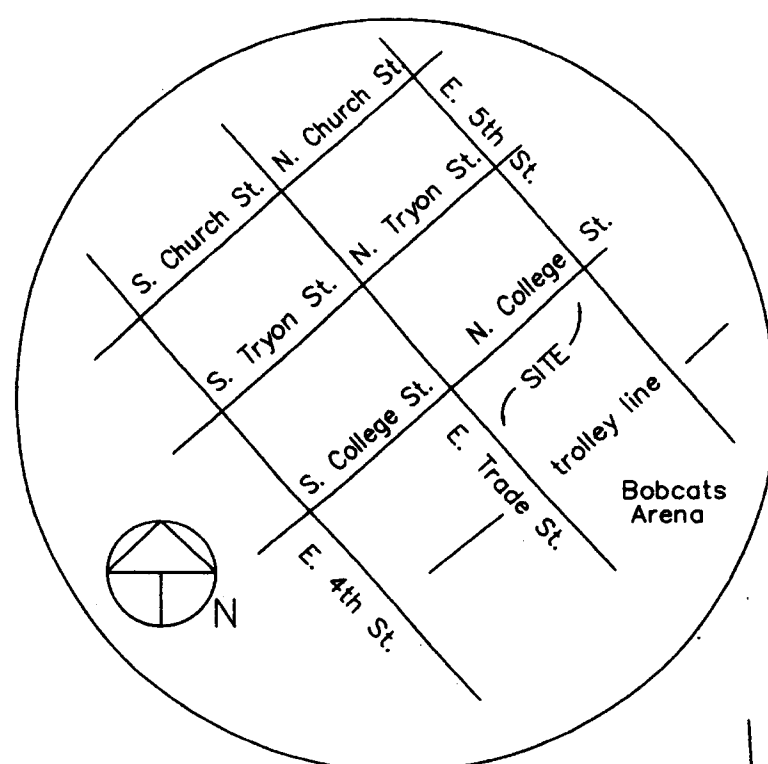
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TRACT 7

TRACT 6



THIS PLAT IS NOT SUBJECT TO THE PROVISIONS OF THE CITY OF CHARLOTTE OR MECKLENBURG COUNTY SUBDIVISION ORDINANCES AND DOES NOT REQUIRE THE APPROVAL OF THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION. HOWEVER, ANY FURTHER SUBDIVISION OF THE PROPERTY MAY BE SUBJECT TO THESE PROVISIONS.

CHARLOTTE-MECKLENBURG PLANNING COMMISSION

PLANNING COMMISSION STAFF

DATE 10/2/2006

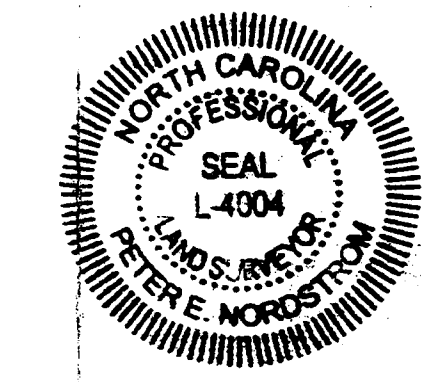
I, JOSHUA E. WEAVER, Review Officer of Mecklenburg County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

10/2/2006
Date

I, Peter E. Nordstrom, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed descriptions recorded in deed books noted; that the boundaries not surveyed are clearly indicated as dashed lines drawn from adjoining deed sources as shown hereon; that the ratio of precision as calculated is 1:15,000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this 12 day of October, 2006.

Seal or Stamp

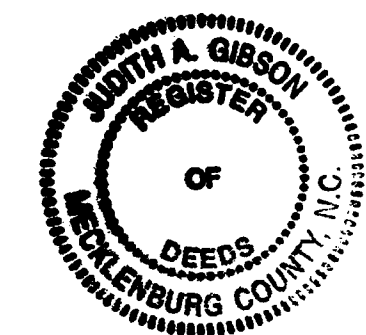
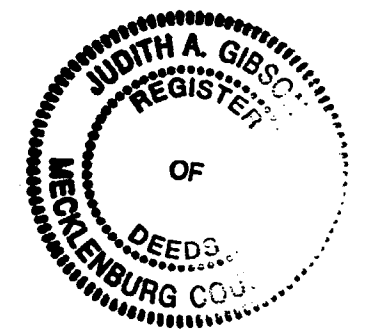
Peter E. Nordstrom
L-4004
Registration Number



GENERAL NOTES

- Source of title recorded in Deed Book 8008 Page 547. This property is known as all of Tracts 1 and 2, Map Book 24 Page 515.
- This survey is not based on a complete title examination. There may be easements and other matters of title not shown. See the following easements of which the surveyor is aware:
 - Declaration of Easements, Covenants, Conditions and Restrictions recorded in Deed Book 6127 Page 12. See "College Street Crosswalk Easement" providing access rights between parking facilities located to the south of subject property and property across College Street from subject property.
 - Rights of tenants to access to parking garage under the following Memorandum of Leases: (1) to NationsBank of North Carolina, N.A. recorded in Deed Book 6751 Page 387 and amended in Book 7480 Page 964; (2) to MCI Telecommunications Corp. recorded in Book 6799 Page 462; (3) to Transamerica Occidental Life Insurance Co. recorded in Book 6801 Page 856; (4) to NationsBank of North Carolina, N.A. recorded in Book 6816 Page 249; (5) to Price Waterhouse recorded in Book 6851 Page 741; (6) to Moore & Van Allen recorded in Book 7077 Page 07; (8) to William M. Mercer Corp. recorded in Book 7077 Page 01; (9) to Presbyterian Health Services Corp. recorded in Book 7173 Page 109; (10) to Smith Barney recorded in Book 7174 Page 321; (11) to Towers, Perrin, Forster & Crosby recorded in Book 7175 Page 734; (12) to the National Association for Plastic Container Recovery, Inc. (NAPCOR) recorded in Book 7203 Page 766; (13) to Blanchfield and Moore recorded in Book 7205 Page 902; (14) to New York Life Insurance Company recorded in Book 7370 Page 227; (15) to Fennebresque, Clark, Swindell & Hay recorded in Book 7490 Page 508; (16) to NationsBank of North Carolina, N.A. recorded in Book 7669 Page 51; (17) to Fennebresque, Swindell & Hay recorded in Book 7877 Page 602; (18) to NationsBank of North Carolina, N.A. recorded in Book 7744 Page 657; (19) to BBG Holdings II, LLC recorded in Book 17485 Page 225; (20) to McKinsey & Company, Inc. United States recorded in Book 8946 Page 903 and amended in Book 9842 Page 573 and Book 17469 Page 609; (21) to Ispat America, Inc. recorded in Book 8788 Page 898; (22) to Womble-Bear Company, Inc. recorded in Book 6959 Page 411; and (23) to Marsh&McLennan, Inc. recorded in Book 7031 Page 294; all of the Mecklenburg County Registry. Parking deck adjacent to southerly property boundary as shown.
- The tax parcel I.D. numbers of the subject property are 08001303 (100 North College Street) and 08001313 (100 East Trade Street).
- The zoning of this property is UMUD. Building setbacks: Front - 12' from back of curb (existing or proposed) Side - 0' 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.
- The total area of this property is 3.2002 acres (139,400 S.F.), by coordinates.
- No recoverable N.C. Grid monument within 2000' of site. See tie to "BANK" based on Map Book 24 Page 515. All distances shown hereon are horizontal ground distances.
- This property is not located within a designated flood hazard area. It is entirely within Zone X, per graphic scaling from Flood Insurance Rate Map Community Panel No. 370159 0187 E dated February 04, 2004.
- Iron pins (5/8" rebar) set on all lot corners unless otherwise indicated.
- This survey does not show any improvements or utilities which may exist.
- East Fifth Street, North College Street and East Trade Street are all Major Thoroughfares 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). Proposed Thoroughfare rights of way may be waived for properties zoned MUDD or UMUD. Developer to contact CDOT to determine applicability of proposed rights of way.
- This plat is a combination of existing parcels of land within the City of Charlotte which has a subdivision ordinance. THE PURPOSE OF THIS MAP IS TO COMBINE TAX PARCEL I.D. NUMBERS 08001303 AND 08001313 INTO ONE TAX PARCEL.

CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL MAP RECORDED IN BOOK 46 PAGE 793 DATE October 3, 2006 BY JUDITH A. GIBSON, REGISTERED PROFESSIONAL SURVEYOR

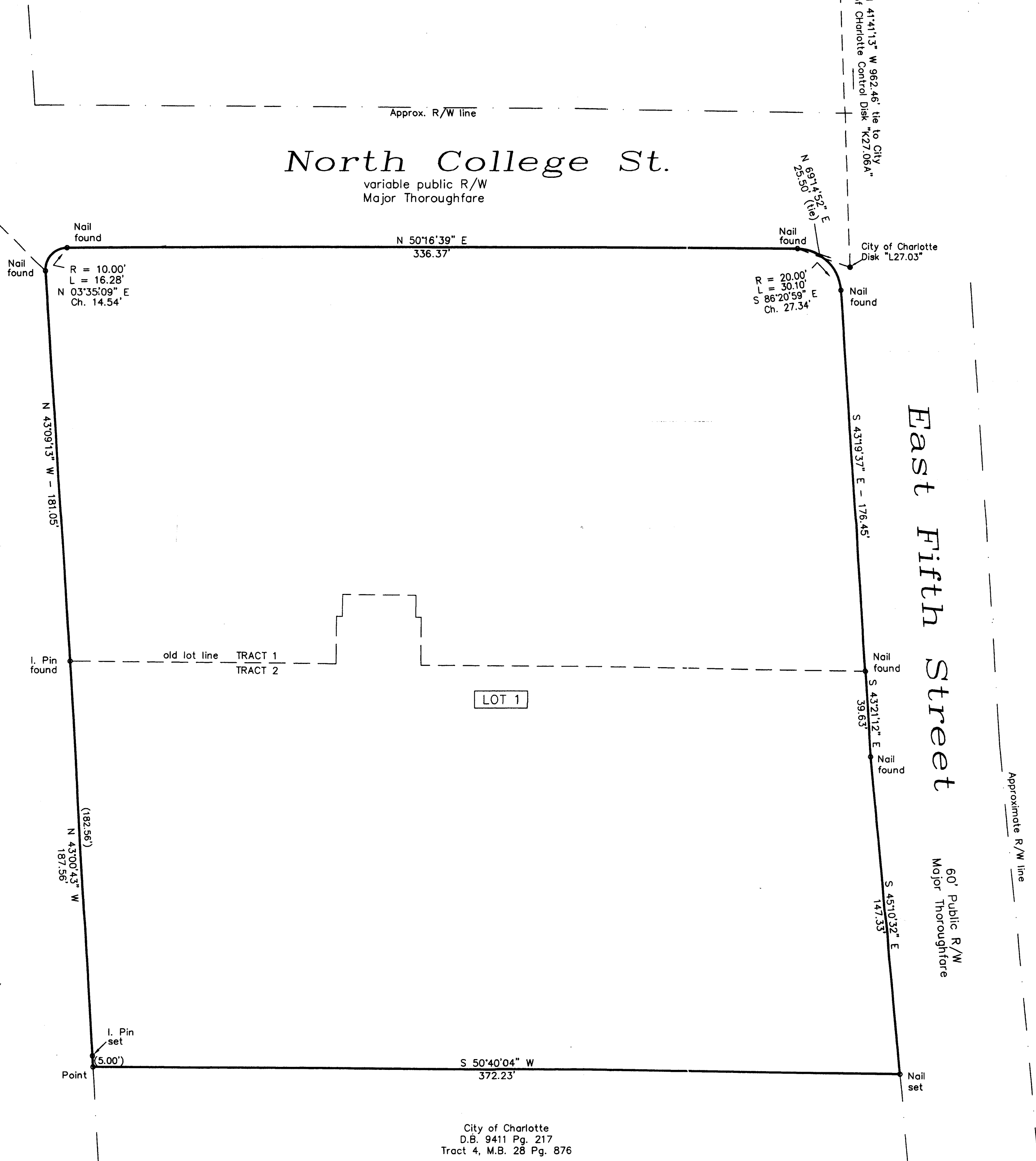


East Trade Street

Approximate R/W line

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
Point	computed point



City of Charlotte
D.B. 9411 Pg. 217
Tract 4, M.B. 28 Pg. 876

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RECORD PLAT
College Street & Trade, Map 1
CHARLOTTE, MECKLENBURG COUNTY, N.C.
NATIONS BANK OF NORTH CAROLINA, N.A. (owner)
Scale 1" = 30' September 30, 2006
A.G. ZOUTEWELLE, P.A.
1418 East Fifth Street Charlotte, N.C. 28204
Telephone 704-372-9444 Fax. 704-372-9555

