

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Complete All Fields

| | |
|-----------------------|----------|
| FY2010 Petition #: | 2010-076 |
| Date Filed: | 9.27.10 |
| Received By: | MC |

OWNERSHIP INFORMATION:

Property Owner: Retirement Housing Foundation
Owner's Address: 911 N. Studebaker Road City, State, Zip: Long Beach, CA 90815
Date Property Acquired: 9/28/2010 Utilities Provided: (Water) CMUD (Sewer) CMUD
(CMUD, Private, Other) (CMUD, Private, Other)

LOCATION OF PROPERTY (Address or Description): _____

Tax Parcel Number(s): 117-02-203, 117-02-204, 117-02-205, 117-02-285, 117-02-286, 117-02-287
Current Land Use: VACANT
Size (Sq.Ft. or Acres): 3.4 ACRES

ZONING REQUEST:

Existing Zoning: R-22MF; I-1 Proposed Zoning: INSTITUTIONAL-CD

Purpose of Zoning Change: (Include the maximum # of residential units or non-residential square footages):

DEVELOPMENT TO ALLOW FOR A SINGLE SENIOR LIVING APARTMENT
BUILDING WITH 85 UNITS AND SEVERAL INTERNAL COMMON AREAS WITH
ASSOCIATED PARKING

WESLEY A. SMITH, PE
Name of Agent

301 McCULLOUGH DRIVE, SUITE 109
Agent's Address

CHARLOTTE, NC 28262
City, State, Zip

704-280-5170 704-548-0334
Telephone Number Fax Number

Wsmith@emht.com
E-Mail Address

Signature of Property Owner if other than Petitioner

(Name Typed / Printed)

Anders Plett
Name of Petitioner(s)

911 N. Studebaker Road
Address of Petitioner(s)

Long Beach, CA 90815
City, State, Zip

(562) 257-5309 (562) 493-7042
Telephone Number Fax Number

anders.plett@rhf.org
E-Mail Address

Anders Plett 9/30/10
Signature

Anders Plett, VP of Acquisitions & Proj. Dev.
(Name Typed / Printed)

| FILE COPY | | | |
|---|---------------|-------------------|--|
| FILED FOR REGISTRATION | | DOC. # 2010113878 | |
| DATE 9/29/2010 | TIME 1:40 pm | | |
| BOOK 25939 | PAGE 860 | | |
| STAMPS 950 | REC FEE 28.00 | | |
| J. DAVID GRANBERRY REGISTER OF DEEDS MECKLENBURG COUNTY, NC | | | |

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$950.00

Parcel Identifier No. 117-022-03; 117-022-04; 117-022-05; 117-022-85; 117-022-86 and 117-022-87

Verified by _____ County on the _____ day of _____,

By: _____

Mail/Box to: Retirement Housing Foundation, Inc., 911 N. Stuebaker Rd., Long Beach, CA 90815

This instrument was prepared by: Lawyers Title Company

Brief description for the Index: Property on Dr. Carver Road and West Boulevard, Charlotte

THIS DEED made this 23rd day of September, 2010, by and between

| GRANTOR | GRANTEE |
|--|--|
| <p>Claudia M. Pearson, <i>single, widowed</i> <i>201 Charing Cross Drive</i> <i>Matthews, NC 28105</i></p> | <p>Retirement Housing Foundation, Inc., a California non-profit public benefit Corporation 911 N. Stuebaker Road Long Beach, CA 90815</p> |

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Charlotte, N/A Township, Mecklenburg County, North Carolina and more particularly described as follows:

Legal Description Attached Hereto and Made a Part Hereof Marked as Exhibit "A"

The property hereinabove described was acquired by Grantor by instrument recorded in Book N/A page N/A.

A map showing the above described property is recorded in Plat Book N/A page N/A.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

(Entity Name) Claudia M. Pearson (SEAL)
Claudia M. Pearson

By: _____ (SEAL)
Title: _____

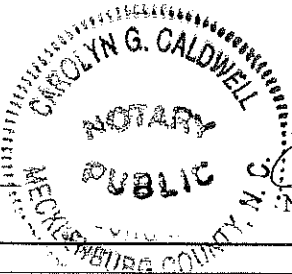
By: _____ (SEAL)
Title: _____

By: _____ (SEAL)
Title: _____

State of North Carolina - County of Micklenburg

I, the undersigned Notary Public of the County and State aforesaid, certify that
Claudia M. Pearson personally appeared before me this day and acknowledged the due
execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 24th day
of September, 2010.

My Commission Expires: 11-11-14



Carolyn G. Caldwell
Notary Public

The foregoing Certificate(s) of _____
is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page
shown on the first page hereof.

Register of Deeds for _____ County
By: _____ Deputy/Assistant - Register of Deeds

Exhibit "A"
Legal Description

TRACT ONE:

BEING all of Lots 16 and 17 of the Barringer Property, as shown on plat thereof recorded in Map Book 3, Page 561 of the Mecklenburg Public Registry, exception that portion of said lots conveyed by deed recorded in Book 1611 at Page 186, and BEING in all respects the same property conveyed to the parties hereto by deed recorded in Deed Book 4095 at Page 199.

TRACT TWO:

BEGINNING at a point in the center line of Wilmount Road, which point is a corner between Lots 17 and 18 of Barringer property as shown on map recorded in Map Book 3, Page 561, in the Mecklenburg County Registry, and running thence with the dividing line between said Lots 17 and 18, N. 24-13 W 319.5 feet to a point; thence a new line N. 82-38 E., a distance of approximately 104.49 feet, more or less, to a point in the dividing line between Lots 18 and 19 of said Barringer property, which point is located a distance of 65 feet measured along the said dividing line between said Lots 18 and 19 from the rear corner of said Lots 18 and 19, S. 24-13 E. 288.8 feet to a point in the center line of said Wilmount Road; thence with the center line of Wilmount Road S. 65-47 W. 100 feet to the point and plat of Beginning. BEING in all respects a part of said Lot 18 of the Barringer property as shown on the map recorded in Map Book 3, Page 561 and on that certain plat of J.W. Spratt, C.S., dated March 4, 1940, to which map and plat reference is hereby made for a more particular description of said property. BEING in all respects the same property conveyed to the parties hereto by deed recorded in Deed Book 4095 at Page 194.

TRACT THREE:

BEGINNING at a point which is the rear corner between Lots 18 and 19 of the Barringer property as shown on map recorded in Map Book 3, Page 561, in the Mecklenburg County Registry, and running thence S. 82-38 W. 104.49 feet to a point which is the rear corner between Lots 17 and 18 of said Barringer property; running thence with the dividing line between said Lots 17 and 18, S. 24-13 E. 65 feet to a point; thence a new line, N. 82-38 E. 104.49 feet to a point in the dividing line between Lots 18 and 19 of the Barringer property; thence with the said dividing line between Lots 18 and 19, N. 24-13 W. 65 feet, more or less, to the point and place of BEGINNING. Being the rear portion of Lot 18 of the Barringer property as shown on map recorded in Map Book 3, Page 561, in the Mecklenburg County Registry. Being a portion of the property conveyed to the said J. Ed Pearson and Everett E. Pearson, partners, by deed from Margaret Cauble and husband, Fred B. Cauble, which deed was dated February 15, 1954, and recorded in Book 2653, Page 493, in the Mecklenburg County Registry.

TRACT FOUR:

Being the rear portion of Lots 16 and 17 as shown on the map of the Barringer property which is recorded in Map Book 3, Page 561, Mecklenburg County Registry, and being more particularly described as follows:

BEGINNING at a stake located at the rear corner between Lots 15 and 16 as shown on said map, and running thence with the rear lines of Lots 16 and 17 in two courses as follows: (1) N. 66-51 E. 56.6 feet; (2) N. 82-38 E. 148.89 feet; thence with the dividing line between Lots 17 and 18 as shown on said map S. 24-13 E. 65 feet; thence a new line consisting of a straight line approximately 200 feet in length and extending to a point in the dividing line between said Lots 15 and 16, said point being 90 feet measured in a southerly direction along said dividing line from the rear corner between said Lots 15 and 16; thence with the dividing line between said Lots 15 and 16, N. 24-13 W. 90 feet to the BEGINNING. Being a portion of the property conveyed to J.E. Pearson and wife, Essie L. Pearson, by deed of Commercial National Bank, dated April 7, 1939 and registered in Book 978, Page 30, Mecklenburg Registry. Being the same property conveyed to J.E. Pearson and E.E. Pearson, partners, trading as Pearson Manufacturing Company, by J.E.

Pearson and wife, Essie L. Pearson, by deed dated April 9, 1953, and duly recorded in Book 1611, Page 186, in the Mecklenburg County Registry.

TRACT FIVE:

BEGINNING at a stake at the rear corner between Lots 17 and 18 as shown on the map of the property of Osmond L. Barringer, recorded in Map Book 3, Page 561, in the office of the Register of Deeds for Mecklenburg County, and running thence with two lines of the Barringer property (1) S. 82-38 W. 148.89 feet; (2) S. 66-51 E. 82.6 feet to a stake in the center of a country road; thence N. 6-48 W. 104.66 feet to a stake in the center of said road; thence N. 65-47 E. 194.0 feet; thence S. 24-13 E. 144.3 feet to the BEGINNING. Being a portion of the property which was conveyed to Ross Reid by deed of Chas. W. Bundy, Receiver of G.A. Morris, registered in Book 881, Page 365, Mecklenburg Registry. Being the same property conveyed to J.E. Pearson and E.E. Pearson, partners, trading as Pearson Manufacturing Company, by Ross Reid (single) by deed dated November 27, 1948, and duly recorded in Book 1353, Page 39, in the Mecklenburg County Registry.

TRACT SIX:

BEGINNING at a stake at the rear corner between Lots 17 and 18 as shown on the map of the Rufus Barringer property, which map is recorded in Map Book 3, Page 561, Mecklenburg Registry, said stake being also located at the corner of the property which was conveyed by Ross Reid to J.E. and E.E. Pearson by deed registered in Book 1353, Page 39, said Registry; and running thence with the Pearson property, N. 24-13 W. 144.3 feet to an iron; thence N. 65-47 E. 100 feet; thence S. 24-13 E. 174.6 feet to a stake at the rear corner between Lots 18 and 19 as shown on the aforementioned map; thence S. 82-38 W. 104.49 feet to the BEGINNING. Being the same property which was conveyed to J.E. Pearson and wife; Elsie L. Pearson by deed of Ross Reid (single) dated January 14, 1950, and registered in Book 1405, Page 34, said Mecklenburg Registry. Elsie L. Pearson was named as a grantee in the aforementioned deed by error, her correct name being Essie L. Pearson. Being in all respects the same property conveyed to Pearson Manufacturing Company by deed dated December 31, 1952, and recorded in Book 1589, Page 382, in the Mecklenburg County Registry. In this deed, the Pearson Manufacturing Company was referred to as a corporation, which was in error as the Pearson Manufacturing Company was then a partnership composed of J. Ed Pearson and Everett E. Pearson.