

REZONING PETITION

2019 -

REZONING DOCUMENT

**HARRISBURG ROAD**  
 CHARLOTTE, NORTH CAROLINA

**HH HUNT**  
 1401 SUNDAY DRIVE, SUITE 109  
 RALEIGH, NORTH CAROLINA 27607  
 CLIENT PHONE

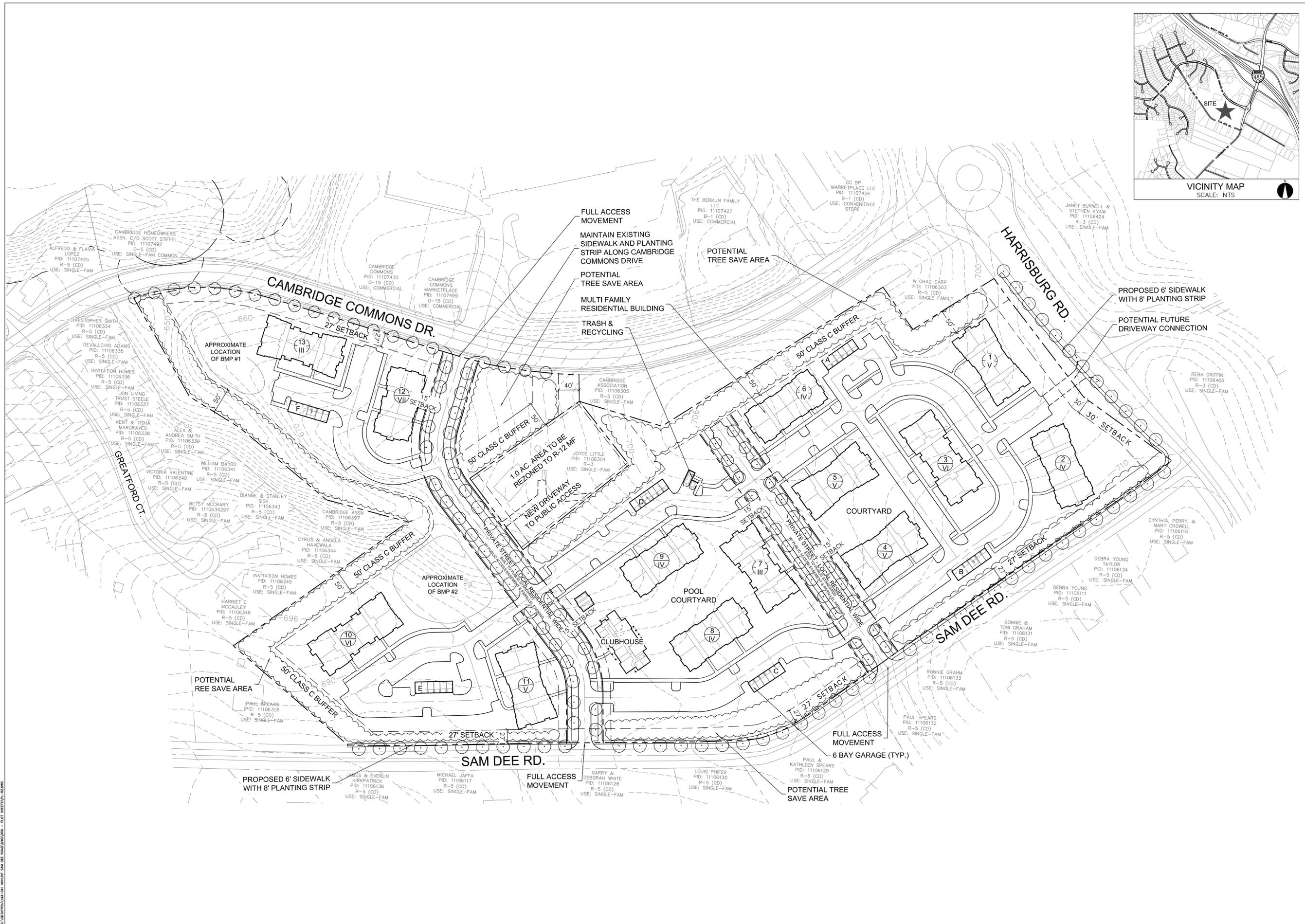
**SCHEMATIC**  
**SITE PLAN**

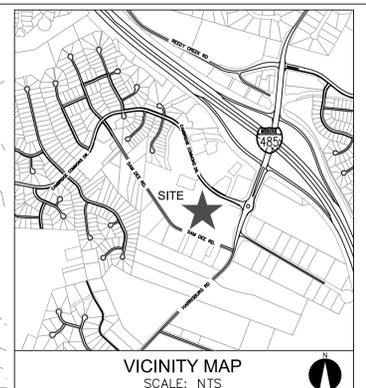
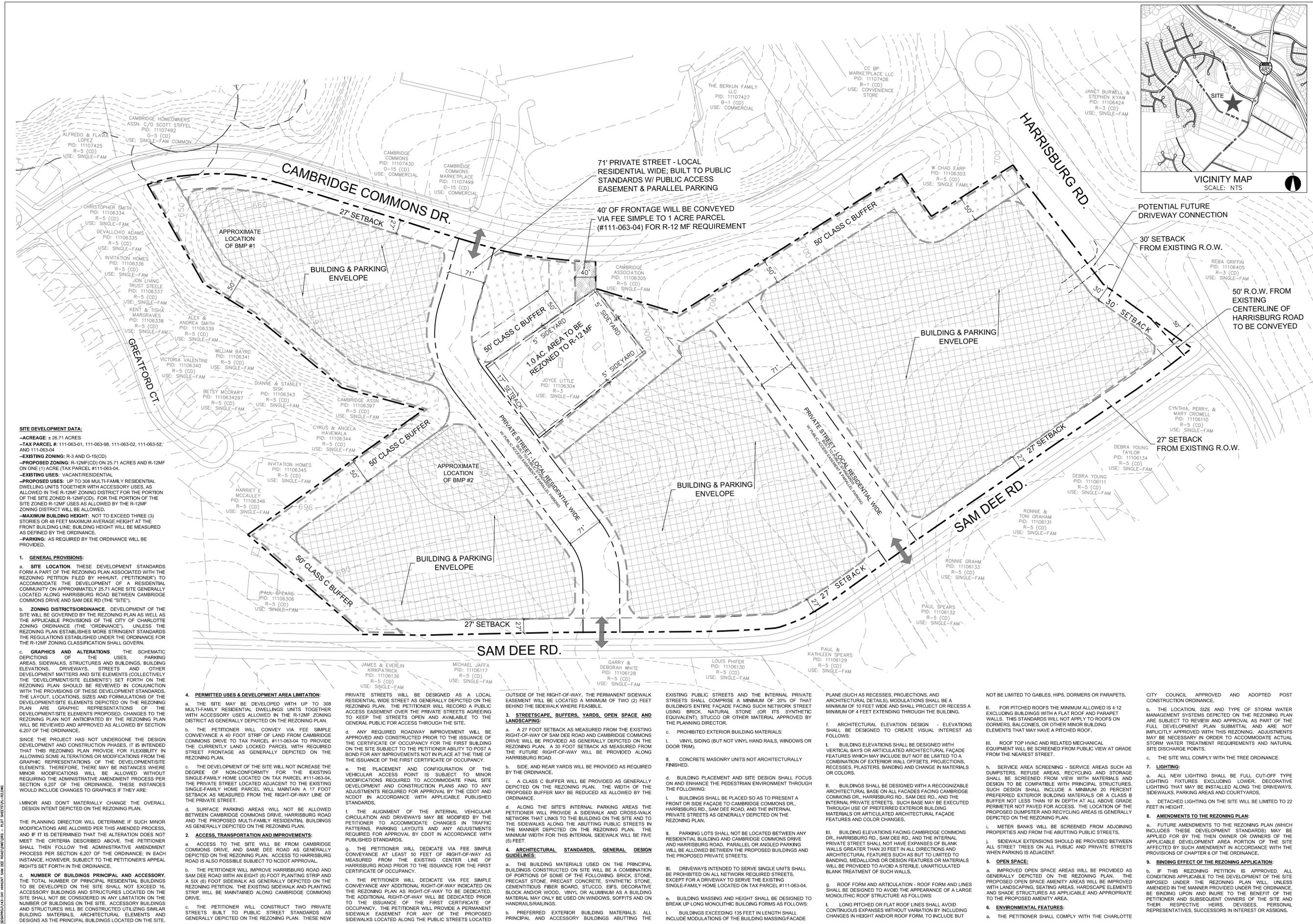
SCALE: 1" = 80'

PROJECT #: 143-041  
 DRAWN BY: LD  
 CHECKED BY: SK

FEBRUARY 14, 2019

REVISIONS:





**DRG DESIGN RESOURCE GROUP**

LANDSCAPE ARCHITECTURE  
CIVIL ENGINEERING  
TRANSPORTATION PLANNING

2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208  
704.343.0608  
www.drgpr.com



REZONING PETITION

2019 -

REZONING DOCUMENT

**HARRISBURG ROAD**  
CHARLOTTE, NORTH CAROLINA

**HH HUNT**  
1401 SUNDAY DRIVE, SUITE 109  
RALEIGH, NORTH CAROLINA 27607  
CLIENT PHONE

**TECHNICAL DATA SHEET**

SCALE: 1" = 80'

PROJECT #: 143-041  
DRAWN BY: LD  
CHECKED BY: SK

FEBRUARY 14, 2019

REVISIONS:

**SITE DEVELOPMENT DATA:**

- ACREAGE: ± 26.71 ACRES
- TAX PARCEL #: 111-063-01, 111-063-98, 111-063-02, 111-063-62, AND 111-063-04
- EXISTING ZONING: R-3 AND O-15(CD)
- PROPOSED ZONING: R-12M(CD) ON 25.71 ACRES AND R-12MF ON ONE (1) ACRE (TAX PARCEL #111-063-04)
- EXISTING USES: VACANT RESIDENTIAL
- PROPOSED USES: UP TO 308 MULTI-FAMILY RESIDENTIAL DWELLING UNITS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE R-12MF ZONING DISTRICT FOR THE PORTION OF THE SITE ZONED R-12M(CD), FOR THE PORTION OF THE SITE ZONED R-12MF USES AS ALLOWED BY THE R-12MF ZONING DISTRICT WILL BE ALLOWED.
- MAXIMUM BUILDING HEIGHT: NOT TO EXCEED THREE (3) STOREYS OR 48 FEET MAXIMUM AVERAGE HEIGHT AT THE FRONT BUILDING LINE. BUILDING HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE.
- PARKING: AS REQUIRED BY THE ORDINANCE WILL BE PROVIDED.

**1. GENERAL PROVISIONS:**

a. **SITE LOCATION:** THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY HH HUNT, ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON APPROXIMATELY 25.71 ACRE SITE GENERALLY LOCATED ALONG HARRISBURG ROAD BETWEEN CAMBRIDGE COMMONS DRIVE AND SAM DEE RD (THE "SITE").

b. **ZONING DISTRICTS/ORDINANCE:** DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE R-12MF ZONING CLASSIFICATION SHALL GOVERN.

c. **GRAPHICS AND ALTERATIONS:** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.

SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:

i. MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

ii. THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.

d. **NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY:** THE TOTAL NUMBER OF PRINCIPAL RESIDENTIAL BUILDINGS TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED 16. ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS DEVELOPED ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDINGS LOCATED ON THE SITE.

**4. PERMITTED USES & DEVELOPMENT AREA LIMITATION:**

a. THE SITE MAY BE DEVELOPED WITH UP TO 308 MULTI-FAMILY RESIDENTIAL DWELLINGS UNITS TOGETHER WITH ACCESSORY USES ALLOWED IN THE R-12MF ZONING DISTRICT AS GENERALLY DEPICTED ON THE REZONING PLAN.

b. THE PETITIONER WILL CONVEY VIA FEE SIMPLE CONVEYANCE A 40 FOOT STRIP OF LAND FROM CAMBRIDGE COMMONS DRIVE TO TAX PARCEL #111-063-04 TO PROVIDE THE CURRENTLY LAND LOCKED PARCEL WITH REQUIRED STREET FRONTAGE AS GENERALLY DEPICTED ON THE REZONING PLAN.

c. THE DEVELOPMENT OF THE SITE WILL NOT INCREASE THE DEGREE OF NON-COMFORMITY FOR THE EXISTING SINGLE-FAMILY HOME LOCATED ON TAX PARCEL #111-063-04. THE PRIVATE STREET LOCATED ADJACENT TO THE EXISTING SINGLE-FAMILY HOME PARCEL WILL MAINTAIN A 17 FOOT SETBACK AS MEASURED FROM THE RIGHT-OF-WAY LINE OF THE PRIVATE STREET.

d. SURFACE PARKING AREAS WILL NOT BE ALLOWED BETWEEN CAMBRIDGE COMMONS DRIVE, HARRISBURG ROAD AND THE PROPOSED MULTI-FAMILY RESIDENTIAL BUILDINGS AS GENERALLY DEPICTED ON THE REZONING PLAN.

**2. ACCESS, TRANSPORTATION AND IMPROVEMENTS:**

a. ACCESS TO THE SITE WILL BE FROM CAMBRIDGE COMMONS DRIVE, AND SAME DEE ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. ACCESS TO HARRISBURG ROAD IS ALSO POSSIBLE SUBJECT TO NCDOT APPROVAL.

b. THE PETITIONER WILL IMPROVE HARRISBURG ROAD AND SAM DEE ROAD WITH AN EIGHT (8) FOOT PLANTING STRIP AND A SIX (6) FOOT SIDEWALK AS GENERALLY DEPICTED ON THE REZONING PLAN. THE EXISTING SIDEWALK AND PLANTING STRIP WILL BE MAINTAINED ALONG CAMBRIDGE COMMONS DRIVE.

c. THE PETITIONER WILL CONSTRUCT TWO PRIVATE STREETS BUILT TO PUBLIC STREET STANDARDS AS GENERALLY DEPICTED ON THE REZONING PLAN. THESE NEW

PRIVATE STREETS WILL BE DESIGNED AS A LOCAL RESIDENTIAL WIDE STREET AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PETITIONER WILL RECORD A PUBLIC ACCESS EASEMENT OVER THE PRIVATE STREETS AGREEING TO KEEP THE STREETS OPEN AND AVAILABLE TO THE GENERAL PUBLIC FOR ACCESS THROUGH THE SITE.

d. ANY REQUIRED ROADWAY IMPROVEMENT WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING ON THE SITE SUBJECT TO THE PETITIONER ABILITY TO POST A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME OF THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.

e. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT IS SUBJECT TO MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CDOT AND NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

f. THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT IN ACCORDANCE WITH PUBLISHED STANDARDS.

g. THE PETITIONER WILL DEDICATE VIA FEE SIMPLE CONVEYANCE AT LEAST 50 FEET OF RIGHT-OF-WAY AS MEASURED FROM THE EXISTING CENTER LINE OF HARRISBURG ROAD PRIOR TO THE ISSUANCE FOR THE FIRST CERTIFICATE OF OCCUPANCY.

h. THE PETITIONER WILL DEDICATE VIA FEE SIMPLE CONVEYANCE ANY ADDITIONAL RIGHT-OF-WAY INDICATED ON THE REZONING PLAN AS RIGHT-OF-WAY TO BE DEDICATED. THE ADDITIONAL RIGHT-OF-WAY WILL BE DEDICATED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY. THE PETITIONER WILL PROVIDE A PERMANENT SIDEWALK EASEMENT FOR ANY OF THE PROPOSED SIDEWALKS LOCATED ALONG THE PUBLIC STREETS LOCATED

OUTSIDE OF THE RIGHT-OF-WAY. THE PERMANENT SIDEWALK EASEMENT WILL BE LOCATED A MINIMUM OF TWO (2) FEET BETWEEN THE SIDEWALK WHERE FEASIBLE.

**3. STREETScape, BUFFERS, YARDS, OPEN SPACE AND LANDSCAPING:**

a. A 27 FOOT SETBACK AS MEASURED FROM THE EXISTING RIGHT-OF-WAY OF SAM DEE ROAD AND CAMBRIDGE COMMONS DRIVE WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN. A 30 FOOT SETBACK AS MEASURED FROM THE FUTURE RIGHT-OF-WAY WILL BE PROVIDED ALONG HARRISBURG ROAD.

b. SIDE AND REAR YARDS WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE.

c. A CLASS C BUFFER WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN. THE WIDTH OF THE PROPOSED BUFFER MAY BE REDUCED AS ALLOWED BY THE ORDINANCE.

d. ALONG THE SITE'S INTERNAL PARKING AREAS THE PETITIONER WILL PROVIDE A SIDEWALK AND CROSS-WALK NETWORK THAT LINKS TO THE BUILDING ON THE SITE AND TO THE SIDEWALKS ALONG THE ADJUTING PUBLIC STREETS IN THE MANNER DEPICTED ON THE REZONING PLAN. THE MINIMUM WIDTH FOR THIS INTERNAL SIDEWALK WILL BE FIVE (5) FEET.

**4. ARCHITECTURAL STANDARDS, GENERAL DESIGN GUIDELINES:**

a. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF PORTIONS OF SOME OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS FIBER BOARD, STUCCO, EIFS, DECORATIVE BLOCK AND/OR WOOD, VINYL, OR ALUMINUM AS A BUILDING MATERIAL ONLY BE USED ON WINDOWS, SOFFITS AND ON HANDRAILS/RAILINGS.

b. PREFERRED EXTERIOR BUILDING MATERIALS: ALL PRINCIPAL AND ACCESSORY BUILDINGS ABUTTING THE

EXISTING PUBLIC STREETS AND THE INTERNAL PRIVATE STREETS SHALL COMPRISE A MINIMUM OF 20% OF THAT BUILDING'S ENTIRE FACADE FACING SUCH NETWORK STREET USING BRICK, NATURAL STONE (OR ITS SYNTHETIC EQUIVALENT), STUCCO OR OTHER MATERIAL APPROVED BY THE PLANNING DIRECTOR.

c. PROHIBITED EXTERIOR BUILDING MATERIALS:

i. VINYL SIDING (BUT NOT VINYL HAND RAILS, WINDOWS OR DOOR TRIM).

ii. CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED.

d. BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT THROUGH THE FOLLOWING:

i. BUILDINGS SHALL BE PLACED SO AS TO PRESENT A FRONT OR SIDE FACADE TO CAMBRIDGE COMMONS DR., HARRISBURG RD., SAM DEE ROAD, AND THE INTERNAL PRIVATE STREETS AS GENERALLY DEPICTED ON THE REZONING PLAN.

ii. PARKING LOTS SHALL NOT BE LOCATED BETWEEN RESIDENTIAL BUILDING AND CAMBRIDGE COMMONS DRIVE AND HARRISBURG ROAD, PARALLEL OR ANGLED PARKING WILL BE ALLOWED BETWEEN THE PROPOSED BUILDINGS AND THE PROPOSED PRIVATE STREETS.

iii. DRIVEWAYS INTENDED TO SERVE SINGLE UNITS SHALL BE PROHIBITED ON ALL NETWORK REQUIRED STREETS, EXCEPT FOR A DRIVEWAY TO SERVE THE EXISTING SINGLE-FAMILY HOME LOCATED ON TAX PARCEL #111-063-04.

e. BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS:

i. BUILDINGS EXCEEDING 135 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FACADE

PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF 10 FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF 4 FEET EXTENDING THROUGH THE BUILDING.

f. ARCHITECTURAL ELEVATION DESIGN - ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS FOLLOWS:

i. BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FACADE FEATURES WHICH MAY INCLUDE BUT NOT BE LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PILASTERS, BANDING AND CHANGE IN MATERIALS OR COLORS.

ii. BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON ALL FACADES FACING CAMBRIDGE COMMONS DR., HARRISBURG RD., SAM DEE RD., AND THE INTERNAL PRIVATE STREETS. SUCH BASES MAY BE EXECUTED THROUGH USE OF PREFERRED EXTERIOR BUILDING MATERIALS OR ARTICULATED ARCHITECTURAL FACADE FEATURES AND COLOR CHANGES.

iii. BUILDING ELEVATIONS FACING CAMBRIDGE COMMONS DR., HARRISBURG RD., SAM DEE RD., AND THE INTERNAL PRIVATE STREET SHALL NOT HAVE EXPANSIONS OF BLANK WALLS GREATER THAN 20 FEET IN ALL DIRECTIONS AND ARCHITECTURAL FEATURES SUCH AS BUT TO LIMITED TO BANDING, MEDALLIONS OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.

g. ROOF FORM AND ARTICULATION - ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:

i. LONG PITCHED OR FLAT ROOF LINES SHALL AVOID CONTINUOUS EXPANSIONS WITH VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM, TO INCLUDE BUT

NOT BE LIMITED TO GABLES, HIPS, DORMERS OR PARAPETS.

ii. FOR PITCHED ROOFS THE MINIMUM ALLOWED IS 4:12 EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS. THIS STANDARDS WILL NOT APPLY TO ROOFS ON DORMERS, BALCONIES, OR OTHER MINOR BUILDING ELEMENTS THAT MAY HAVE A PITCHED ROOF.

iii. ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST STREET.

h. SERVICE AREA SCREENING - SERVICE AREAS SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE SHALL BE SCREENED FROM VIEW WITH MATERIALS AND DESIGN TO BE COMPATIBLE WITH PRINCIPAL STRUCTURES. SUCH DESIGN SHALL INCLUDE A MINIMUM 20 PERCENT PREFERRED EXTERIOR BUILDING MATERIALS OR A CLASS B BUFFER NOT LESS THAN 10' IN DEPTH AT ALL ABOVE GRADE PERIMETER NOT PAVED FOR ACCESS. THE LOCATION OF THE PROPOSED DUMPSTER AND RECYCLING AREAS IS GENERALLY DEPICTED ON THE REZONING PLAN.

i. METER BANKS WILL BE SCREENED FROM ADJOINING PROPERTIES AND FROM THE ABUTTING PUBLIC STREETS.

j. SIDEWALK EXTENSIONS SHOULD BE PROVIDED BETWEEN ALL STREET TREES ON ALL PUBLIC AND PRIVATE STREETS WHEN PARKING IS ADJACENT.

**5. OPEN SPACE:**

a. IMPROVED OPEN SPACE AREAS WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PROPOSED OPEN SPACE AMENITY AREAS WILL BE IMPROVED WITH LANDSCAPING, SEATING AREAS, HARDCAPE ELEMENTS AND SHADE STRUCTURES AS APPLICABLE AND APPROPRIATE TO THE PROPOSED AMENITY AREA.

**6. ENVIRONMENTAL FEATURES:**

a. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE

CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION ORDINANCE.

b. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

c. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.

**7. LIGHTING:**

a. ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, PARKING AREAS AND COURTYARDS.

b. DETACHED LIGHTING ON THE SITE WILL BE LIMITED TO 22 FEET IN HEIGHT.

**8. AMENDMENTS TO THE REZONING PLAN:**

a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA. PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

**9. BINDING EFFECT OF THE REZONING APPLICATION:**

b. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.