

# Appendix J

## Application Packet for Annexations

Deadlines for January – December 2022		
Application Deadline (12pm)	Joint Public Hearing Date	Earliest Decision Date
December 16, 2021	January 20, 2022	March 14, 2022
March 17, 2022	April 21, 2022	June 13, 2022
June 16, 2022	July 21, 2022	September 12, 2022
September 15, 2022	October 20, 2022	December 12, 2022
December 15, 2022	January 19, 2023	March 13, 2023

### Fee Schedule

Rezoning to General Purpose or Overlay District:

the greater of \$500.00 or \$50.00 per acre

Rezoning to conditional District:

the greater of \$2,000.00 or \$200.00 per acre

\* Rezoning reviewed in conjunction with an annexation request should first calculate the standard fee and then double it to account for fiscal impact analysis of the application.

### Submittal Requirement Checklist

#### Voluntary Annexation Request

- ☒ Annexation Petition
- ☒ Zoning Map Amendment request (see Appendix I)

#### Involuntary Annexation Request

- ☐ Zoning Map Amendment application (see Appendix I)

*cem*



TOWN OF  
HILLSBOROUGH

PETITION FOR  
Annexation of Contiguous Property

Planning Department  
101 E. Orange Street / P.O. Box 429  
Hillsborough, NC 27278  
Phone: (919) 296-9471 Fax: (919) 644-2390  
Website: [www.hillsboroughnc.gov](http://www.hillsboroughnc.gov)

TO THE BOARD OF COMMISSIONERS OF THE TOWN OF HILLSBOROUGH:

- (1) The undersigned, Charles W. Moren, Trustee of the Carolyn Davis Moren Living Trust dated 13 February 2018

being the owner(s) of all real property located within the area described in paragraph two below requests that such area be annexed to the Town of Hillsborough.

- (2) The area to be annexed is contiguous to the Town of Hillsborough and is located on Cates Creek Parkway and Old NC 86

- (3) A map of the foregoing property, showing its relationship to the existing corporate limits of the town, is attached hereto.

- (4) This petition is presented under the authority contained in G.S. 160A-31.

Respectfully submitted this 13<sup>th</sup> day of June, 2022

Charles W. Moren  
Property Owner

Trustee of the Carolyn Davis Moren Living Trust dated 13 February 2018  
Witness

Property Owner

6/13/2022  
Witness

Property Owner

Witness

Property Owner

Witness

Property Owner

Witness

Property Owner

Witness

*CEM*

# Application Packet for Unified Development Ordinance Text & Zoning Map Amendments (Rezoning) / Future Land Use Plan & Comprehensive Plan Amendments

Deadlines for 2022		
Application Deadline (12pm)	Joint Public Hearing Date	Earliest Decision Date
December 16, 2021	January 20, 2022	March 14, 2022
March 17, 2022	April 21, 2022	June 13, 2022
June 16, 2022	July 21, 2022	September 12, 2022
September 15, 2022	October 20, 2022	December 12, 2022
December 15, 2022	January 19, 2023	March 13, 2023

## Fee Schedule

Future Land Use/Comprehensive Plan Map Amendment:	\$300.00
UDO Text Amendment	\$300.00
Rezoning to General Purpose or Overlay District:	The greater of \$500.00 or \$50.00 per acre

\* Rezoning reviewed in conjunction with an annexation request should first calculate the standard fee and then double it to account for the fiscal impact analysis of the application.

## Submittal Requirement Checklist

### Unified Development Ordinance & Future Land Use/Comprehensive Plan Text Amendments

- ☐ Complete application and applicable review fee
- ☐ For UDO text amendments, a written narrative addressing UDO Section 3.7.2 (see page 3 of this packet)

### Zoning Map & Future Land Use Map Amendments

- ☒ Complete application and applicable review fee
- ☒ Copy of the deed and/or a fully dimensioned survey to a scale greater than 100 ft to the inch and smaller than 20 ft to the inch that includes existing structures, critical areas (specified on application), rights-of-way and width, and driveways (existing and new)
- ☒ For zoning map amendments, a written narrative addressing UDO Section 3.7.2 (see page 3 of this packet)

*See m*



TOWN OF  
**HILLSBOROUGH**

**APPLICATION FOR  
Text and/or Map Amendment Request**

Planning Department  
101 E. Orange Street/P.O. Box 429  
Hillsborough, NC 27278

Phone: (919) 296-9477 Fax: (919) 644-2390

Website: [www.hillsboroughnc.gov](http://www.hillsboroughnc.gov)

Amendment Type: ☐ Future Land Use Plan Map

☒ Zoning Map

☐ Comprehensive Plan Text

☐ Unified Development Ordinance text

Property Address: Cates Creek Parkway/Old NC 86

PIN: 9873153366

Applicant Name: Beach Equity Investments, LLC

Mailing Address: 320 Broad Street, Suite 600

Phone: 843-277-3052

City, State, Zip: Charleston, SC 29401

E-mail: jreyna@beachcompany.com

Property Owner Name: Charles W. Moren, Trustee of the Carolyn Davis Moren Living Trust dated 13 February 2018

Mailing Address: 1131 Margaret Drive

Phone: 843-229-1315

City, State, Zip: Florence, South Carolina 29501

E-mail: charlesmoren@sc.rr.com

Location/Streets Accessed: Cates Creek Parkway/Old NC 86

Current Zoning District(s): ETJ/Orange County

Proposed Zoning District(s): MF/EDD (see attached map)

Acreage: 60.146

Water Service: ☒ Public Water ☐ Well

Sewer Service: ☒ Public Sewer ☐ Septic Tank

Existing Structures on Site: None

Critical Areas:

☒ Flood ☒ Drainage/Stream/Pond ☐ Cemetery ☐ Historic Resource ☐ Steep Slopes

☐ Easement

See next page

**Describe how the request will address the following factors that the Town Board of Commissioners must determine when considering an amendment to the test of the Unified Development Ordinance or Zoning Map (use separate sheet):**

1. The extent to which the amendment is consistent with all applicable Town-adopted plans.
2. The extent to which there are changed conditions that require an amendment.
3. The extent to which the proposed amendment addresses a demonstrated community need.
4. The extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.
5. The extent to which the proposed amendment would result in a logical and orderly development pattern or deviate from logical and orderly development patterns.
6. The extent to which the proposed amendment would encourage premature development.
7. The extent to which the proposed amendment would result in strip or ribbon commercial development.
8. The extent to which the proposed amendment would result in the creation of an isolated zoning district unrelated to or incompatible with adjacent and surrounding zoning districts.
9. The extent to which the proposed amendment would result in significant adverse impacts on the property values of surrounding lands.
10. The extent to which the proposed amendment would result in significantly adverse environmental impacts, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

I/We certify that all of the information presented by me/us in this application is accurate to the best of my/our knowledge, information, and belief. **APPLICATIONS WILL NOT BE ACCEPTED WITHOUT SIGNATURE OF PROPERTY OWNER.**

\_\_\_\_\_  
Applicant's signature

\_\_\_\_\_  
date

\_\_\_\_\_  
Property Owner's signature

\_\_\_\_\_  
date

*Carolyn Davis Moren*, Trustee of the Carolyn Davis Moren Living Trust Dated 13 February 2018  
27 6/13/2022

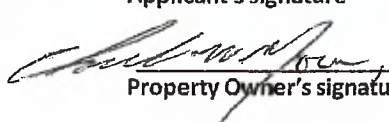
*Ann*

Describe how the request will address the following factors that the Town Board of Commissioners must determine when considering an amendment to the test of the Unified Development Ordinance or Zoning Map (use separate sheet):

1. The extent to which the amendment is consistent with all applicable Town-adopted plans.
2. The extent to which there are changed conditions that require an amendment.
3. The extent to which the proposed amendment addresses a demonstrated community need.
4. The extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.
5. The extent to which the proposed amendment would result in a logical and orderly development pattern or deviate from logical and orderly development patterns.
6. The extent to which the proposed amendment would encourage premature development.
7. The extent to which the proposed amendment would result in strip or ribbon commercial development.
8. The extent to which the proposed amendment would result in the creation of an isolated zoning district unrelated to or incompatible with adjacent and surrounding zoning districts.
9. The extent to which the proposed amendment would result in significant adverse impacts on the property values of surrounding lands.
10. The extent to which the proposed amendment would result in significantly adverse environmental impacts, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

I/We certify that all of the information presented by me/us in this application is accurate to the best of my/our knowledge, information, and belief. **APPLICATIONS WILL NOT BE ACCEPTED WITHOUT SIGNATURE OF PROPERTY OWNER.**

 BEACH EQUITY INVESTMENTS, LLC  
SVP OF MANAGER 6.15.22  
Applicant's signature date

 Trustee of the Carolyn Davis Moore Living Trust Dated 13 February 2018  
Property Owner's signature date  
27 6/13/2022

*Cum*

**1. *The extent to which the amendment is consistent with all applicable Town-adopted plans.***

The proposed development complies with several goals that are included in the Hillsborough Vision 2030 plan. In particular, the proposed development represents desirable future uses that are compatible with the special character of Hillsborough, will support the economic and cultural diversity of the community, and will promote a sustainable community. The developer intends to develop the property as a mixed use and mixed income area that includes multi-family housing (including over five acres for affordable housing use) together with retail services that will serve not only the residents of this new development but also the residents of the surrounding neighborhoods in a sustainable, pedestrian-friendly manner. These retail uses will provide options for surrounding residents that are not currently located in the immediate area. Moreover, they will provide opportunities for surrounding residents to both live and work in this area of Hillsborough. The proposed project also complies with the Hillsborough-Orange County Strategic Growth Plan, which identifies the property as being located within the “Proposed Hillsborough Services/Future Annexation Area.” This is understandable, as the annexation and zoning of this property would give Hillsborough greater planning control over an area that is already serving as part of its ETJH. The Strategic Growth Plan provides support for the particular proposed uses as it identifies that Multi-Family Residential Uses shall be located along N.C. 86 near the Waterstone Development, which is adjacent to the subject property.

**2. *The extent to which there are changed conditions that require an amendment.***

A zoning map amendment is required as the original zoning will need to be established as part of Hillsborough’s annexation of the property.

**3. *The extent to which the proposed amendment addresses a demonstrated community need.***

In January, 2022, the developer commissioned The Concord Group to produce a market study for the Hillsborough multi-family rental market. The findings of this study reflect an increasing and unmet demand for new rental housing in the Hillsborough community. The study showed that the existing rental housing stock in the community is limited and becoming even more so as shown by the fact that vacancy rates have steadily declined since 2019. Specifically, occupancy rates at apartment communities that neighbor the subject property within the Town exceed 95%. The average apartment vacancy rate for the combined Hillsborough, Mebane, and Graham areas were 4.9% for the year 2021 and 5.0% year to date for 2022. The proposed zoning amendment, if approved as requested, will add additional rental inventory to the market and will, thereby, provide additional options for Hillsborough residents who are looking to rent among their alternatives to homeownership.

According to the study, in the combined Hillsborough, Mebane, and Graham market areas, there are 934 total new dwelling units that have either been approved or are pending approval for development during the 5-year period of 2022 – 2026. This number does not meet the projected demand for dwelling units during the same time period. The study concludes that the 3.6% annual rent growth in the Hillsborough multifamily market is due, in part, to limited

rental supply, net in-migration to Orange County, and the fact that even though rent is increasing, rental options are still significantly more affordable than owning a home. Absent an increase in rental inventory, these factors may continue to drive up rent growth in the Hillsborough market over the next 3-5 years. Rezoning the requested portion of the property to MF "Multi-Family" zoning will allow for the development of additional rental inventory, help offset unmet demand, and regulate the growth of rental rates.

Rezoning the property as requested will allow for the development of a significant number of affordable housing units for fixed income residents, consistent with the Principles for Affordable Housing outlined by the Town Board. The Town has expressed a desire to develop a diverse portfolio of affordable housing for people of varying income levels and priority populations, such as disabled individuals, senior citizens, veterans, and middle-income residents up to 120% of AMI. To contribute to these efforts, the developer will agree to subdivide and donate approximately 5.8 acres of the subject property for the construction of an affordable senior housing apartment community of approximately 81 units. Beacon Management Corporation, a Greensboro-based affordable housing development and management company, has agreed in principle to develop the affordable units utilizing the State of North Carolina's Low-Income Housing Tax Credit Program on the 5.8 acres. This number of affordable units amounts to 18% of the total market-rate rental units currently being considered for the subject property, and 15.3% of all units currently under consideration for the subject property (including the affordable units). This donation will, therefore, exceed the 15% minimum guidance that has been provided by the Town to the developer. The donated portion of the subject property will be deed-restricted, meaning that the use of the property will be required for 99-years to be only used for affordable housing for income-qualified renters at or below 60% of AMI.

If, for any reason, Beacon Management Corporation fails to commence construction on the affordable housing units on the donated property within a stipulated 5-year window from the time of recordation of the deed, the applicant is willing to include a provision in the deed that the donated property will be automatically transferred to the Town of Hillsborough and, in such case, the deed-restricted uses could be expanded to include permitting the future expansion of Cates Creek Park onto the site in addition to the permitted affordable housing use.

Per the results of the geotechnical study performed on the site, the portion of the property to be designated for affordable housing has some of the highest-quality soils on the property. The donation by developer is currently expected to be valued at over \$2,100,000.00.

**4. *The extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.***

The portion of the subject property to be designated MF "Multi-family" zoning is contiguous to established multi-family uses. As discussed above, this meets a target of the Hillsborough-Orange County Strategic Growth Plan. Because this portion of the property lacks road frontage and visibility to a high-traffic corridor, it is not suitable for commercial development. The

portion of the subject property to be designated EDD has road frontage on Old NC 86 (16,500 Vehicle Trips / Day) and is suited for commercial development.

**5. *The extent to which the proposed amendment would result in a logical and orderly development pattern or deviate from logical and orderly development patterns.***

The proposed amendment would result in development of the property that is consistent with development that has occurred on contiguous properties in the area, including, the Waterstone development and Cadence at Cates Creek apartments. As a result of this consistency, the proposed development will complement the Waterstone development and nearby uses in a logical and orderly pattern.

**6. *The extent to which the proposed amendment would encourage premature development.***

The aforementioned market study that uses current and actual figures has established that a real and present need exists for the multi-family housing and commercial uses that are included as part of the proposed development. Moreover, given the surrounding already developed uses, development of the subject property is appropriate and timely.

**7. *The extent to which the proposed amendment would result in strip or ribbon commercial development.***

The applicant's development plan is for attractive, pedestrian friendly, sustainable mixed use development rather than strip or ribbon commercial development. The requested zoning is necessary to allow the applicant the density required to provide such quality.

**8. *The extent to which the proposed amendment would result in the creation of an isolated zoning district unrelated to or incompatible with adjacent and surrounding zoning districts.***

The portion of the subject property that is to be designated MF "Multi-family" zoning is contiguous to the Waterstone development and Cadence at Cates Creek apartments, both of which have established multi-family uses. The remainder of the subject property will be used for uses that serve the multi-family use and other surrounding residential uses in a compatible manner.

**9. *The extent to which the proposed amendment would result in significant adverse impacts on the property values of surrounding lands.***

There will be no adverse impacts to land values as a result of the proposed amendment. To the contrary, if the amendment is approved, the applicant will develop high quality sustainable and compatible development that should have positive impacts on the property values of surrounding lands

**10. *The extent to which the proposed amendment would result in significantly adverse environmental impacts, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.***

The subject property is located in an area that is planned for commercial growth along a thoroughfare that is ripe for development without any significant adverse environmental impact. All development on the subject property will comply with local, state, and federal environmental laws and regulations. The due diligence that the developer has performed with respect to the property has not identified any material water, air, noise, stormwater management, wildlife, vegetation wetlands, or other negative impacts that the applicant will have to address in completing the proposed development.

Moreover, the density allowable by the MF zoning district is inherently more sustainable than single-family developments of equal size to the proposed development. According to the U.S. Energy Information Administration, a single household living in an apartment uses nearly half as much energy as they would in a single-family home.



Shaping the Environment  
Realizing the Possibilities

Land Planning  
Landscape Architecture  
Civil Engineering  
Urban Design

131 S. South Wilmington St., Suite 200  
Raleigh, North Carolina 27601  
p: 919 719 1800 f: 919 719 1819  
url: www.colejeneststone.com

## MOREN PROPERTY

HILLSBOROUGH  
North Carolina 27278

## REZONING PLAN EXISTING ZONING

Project No.  
50546

Issued  
04/14/2022

Revised



VICINITY MAP

NTS

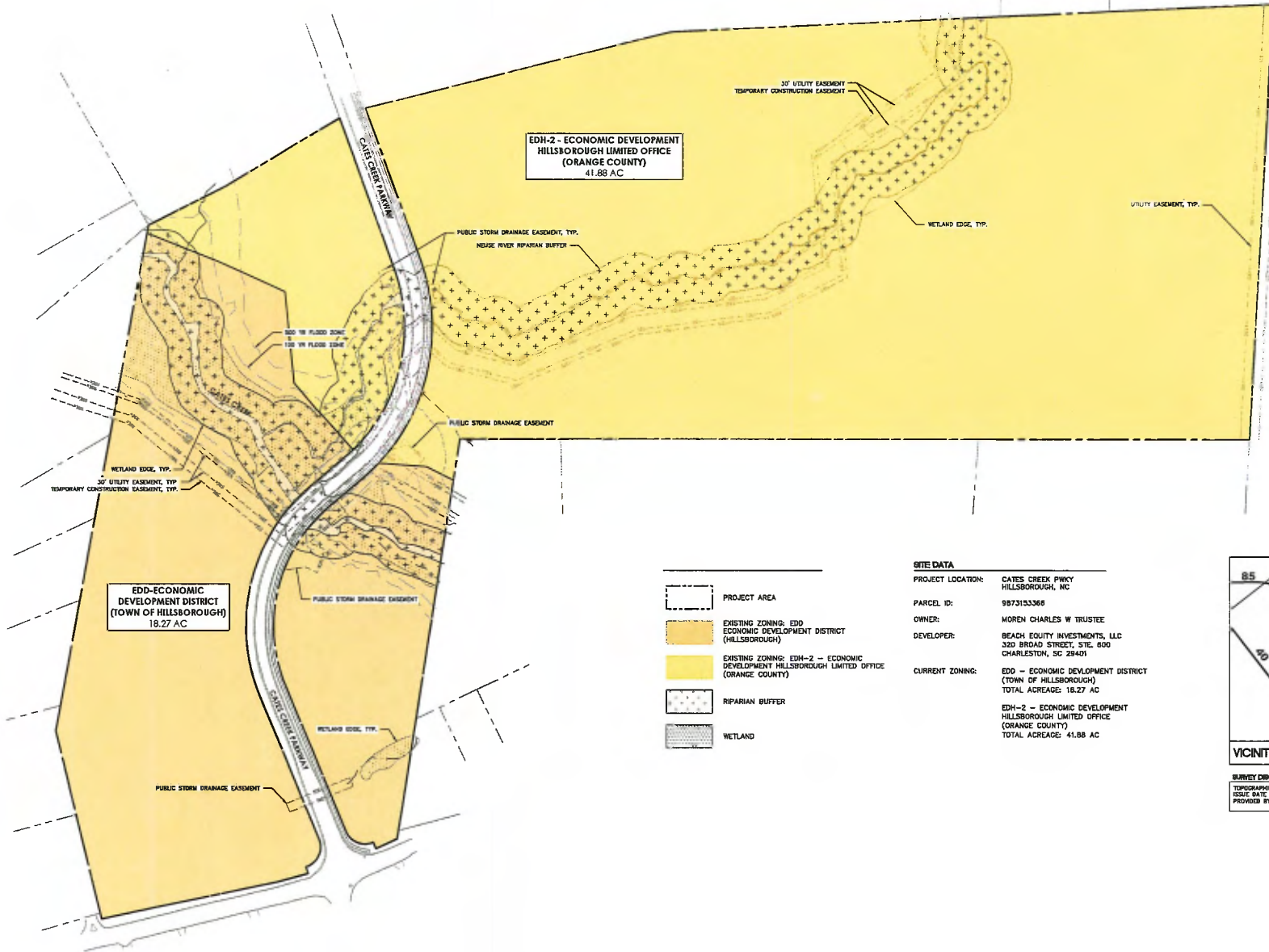
**SURVEY DISCLAIMER**  
TOPOGRAPHIC OR "AS/AN" LAND TITLE SURVEY SURVEY  
ISSUE DATE MONTH XX, 200X. REVISION MONTH XX, 200X.  
PROVIDED BY SURVEYOR'S NAME, ADDRESS, PHONE NUMBER

SCALE: 1"=100'  
0 200'

RZ-1.0

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- PROJECT AREA
- EXISTING ZONING: EDD  
ECONOMIC DEVELOPMENT DISTRICT  
(HILLSBOROUGH)
- EXISTING ZONING: EDH-2 - ECONOMIC  
DEVELOPMENT HILLSBOROUGH LIMITED OFFICE  
(ORANGE COUNTY)
- RIPARIAN BUFFER
- WETLAND

### SITE DATA

PROJECT LOCATION: CATES CREEK PKWY  
HILLSBOROUGH, NC

PARCEL ID: 9873153368

OWNER: MOREN CHARLES W TRUSTEE

DEVELOPER: BEACH EQUITY INVESTMENTS, LLC  
320 BROAD STREET, STE. 800  
CHARLESTON, SC 29401

CURRENT ZONING: EDD - ECONOMIC DEVELOPMENT DISTRICT  
(TOWN OF HILLSBOROUGH)  
TOTAL ACREAGE: 18.27 AC

EDH-2 - ECONOMIC DEVELOPMENT  
HILLSBOROUGH LIMITED OFFICE  
(ORANGE COUNTY)  
TOTAL ACREAGE: 41.88 AC



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131 S. South Wilmington St., Suite 200  
Raleigh, North Carolina 27601  
p: 919 775 1800 f: 919 719 1819  
c: www.colejeneststone.com

## MOREN PROPERTY

HILLSBOROUGH  
North Carolina 27278

## REZONING PLAN PROPOSED ZONING

Project No.  
50546  
Issued  
04/16/2022

Revised



Hillsborough Zoning District Intent and Uses List  
July 2022

**HIGH INTENSITY RESIDENTIAL DISTRICT- MULTI-FAMILY (MF)** The purpose of the MF District is to provide locations for residential development that allows housing options at a higher density than typical detached single-family developments such as are intended for R-40, R-20, R-15, and R-10 districts. Prominent uses within this district include single-family attached units, townhouses, condominiums, apartments, and other multi-family dwelling units.

**Uses Permitted By-right:**

Dwelling: Attached (1-4 units)  
Dwelling: Attached (5-19 units)  
Dwelling: Attached (20+ units)  
Dwelling: Single-family  
Family Care Home  
Park, Cultural or Natural  
Park, Neighborhood

**Uses requiring a Special Use Permit:**

Public Utilities  
Telecommunication Tower  
Transmission Lines

**ECONOMIC DEVELOPMENT DISTRICT (EDD)** The intent of the Economic Development District is to provide locations for a wide range of light industrial, distribution, flex space, office, service, and retail uses.

By right:

Artisan Studio  
Bank & Financial Institution  
Bar  
Building/Trade Contractor's office  
Child Day Care  
Church, Place of worship  
Event Center  
Farmer's Market  
Flex Space  
Food Preparation Business  
Funeral Home  
Health Care Facility  
Health/Fitness Club  
Hotels & Motels  
Library  
Manufacturing Complex  
Meeting Facility  
Office operations  
Offices and professional services  
Order Fulfillment Center  
Outlet sales  
Park, Athletic or Community  
Park and Ride Facility  
Parking as Principal Use, Surface or Structure  
Performance Facility  
Personal service business  
Postal and Parcel Delivery Services  
Public Safety Services  
Recreational Facilities  
Research Facility  
Restaurant  
Restaurant, Convenience  
Retail sales/rentals of goods  
School: Art & Music  
School: Dance, Martial Arts  
School: Vocational  
Storage & Warehousing: Inside building, excluding explosives & hazardous wastes  
Storage & Warehousing: Outside  
Veterinarian/Animal Hospital  
Wholesale sales, indoor

SUP:

Detention Facility  
Government Maintenance Yard  
Motor Vehicle Fuel Station  
Processing Facility  
Public Utilities  
Research Facility, Intense  
School: Elementary, Middle & Secondary  
Telecommunication Tower  
Transmission Lines

Permitted as accessory use:

School: Elementary, Middle & Secondary



Land Planning  
+  
Landscape Architecture  
+  
Civil Engineering  
+  
Urban Design

131 1/2 South Wilmington St., Suite 200  
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url+ [www.colejenestatstone.com](http://www.colejenestatstone.com)

HILLSBOROUGH  
North Carolina 27278

## Project No.

50546

**Issued**

06/15/2012

Revised



TOPOGRAPHIC OR "ALTA/ASCM LAND TITLE SURVEY" SURVEY  
ISSUE DATE MONTH XX, 200X. REVISED MONTH XX, 200X.  
PROVIDED BY SURVEYOR'S NAME, ADDRESS, PHONE NUMBER

PROJECT LOCATION: CATES CREEK PWKY  
HILLSBOROUGH, NC

PARCEL ID: 9873153366

OWNER: MOREN CHARLES W TRUSTEE

DEVELOPER: BEACH EQUITY INVESTMENTS, LLC  
320 BROAD STREET, STE. 600  
CHARLESTON, SC 29401

**TRACT A**

ACREAGE: 11.84 ACRES  
EXISTING ZONING: EDD - ECONOMIC DEVELOPMENT DISTRICT  
(HILLSBOROUGH ZONING)

**TRACT B**

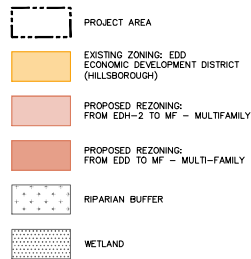
ACREAGE: 4.00 ACRES  
EXISTING ZONING: EDD - ECONOMIC DEVELOPMENT DISTRICT  
(HILLSBOROUGH ZONING)

**TRACT C**

ACREAGE: 5.67 ACRES  
PROPOSED ZONING: MF - MULTI-FAMILY  
(HILLSBOROUGH ZONING)

### TRACT D

ACREAGE: 38.64 ACRES  
PROPOSED ZONING: MF - MULTI-FAMILY  
(HILLSBOROUGH ZONING)



SCALE: 1"=100'



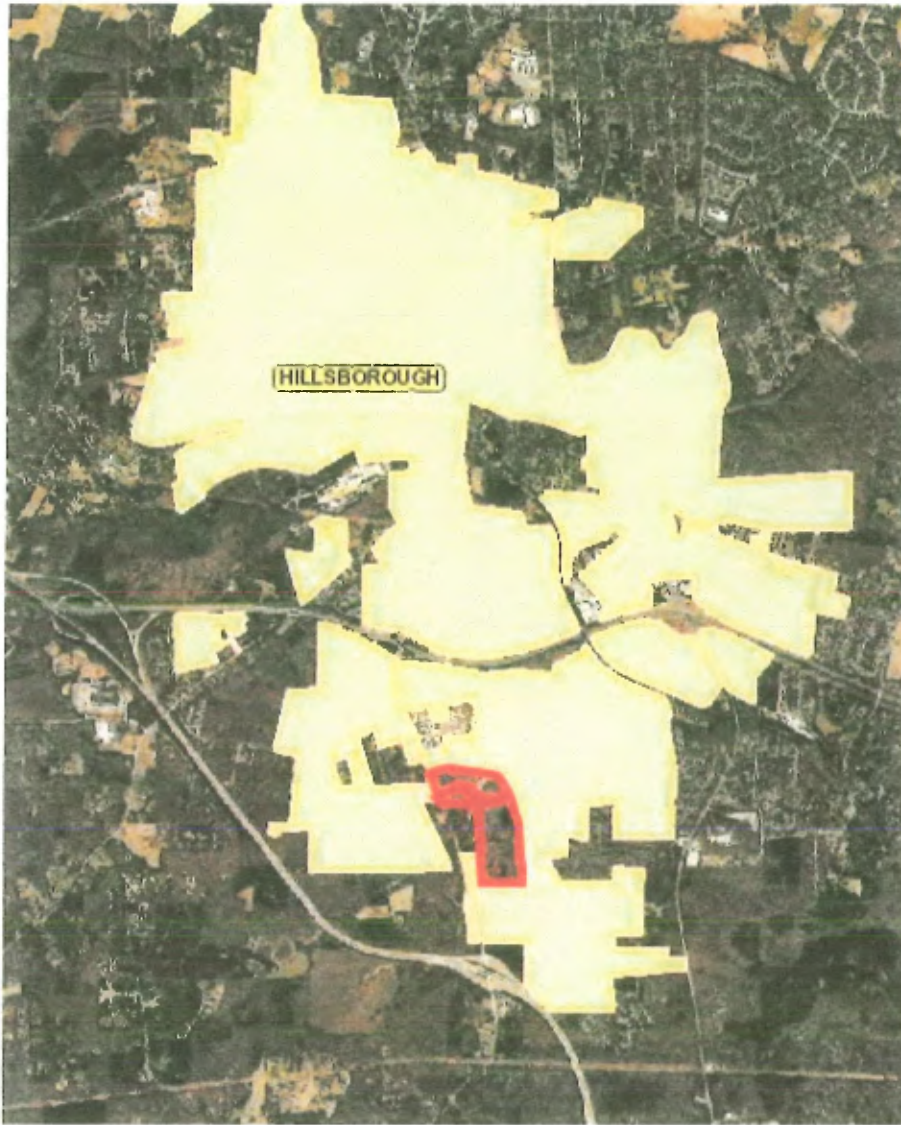
RZ-2.0

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Cum



Cum

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mm

1/1



Doc No: 30016214  
Recorded: 02/20/2020 11:49:06 AM  
Fee Amt: \$26.00 Page 1 of 2  
Excise Tax: \$0.00  
Orange County North Carolina  
Mark Chilton, Register of Deeds  
BK 6646 PG 745 - 746 (2)

*Sandra Kim*

### NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: None

Parcel Identifier No. 9873-15-3366 Verified by *W* County on the \_\_\_ day of \_\_\_, 20\_\_\_  
By: \_\_\_\_\_

Return to: Pendergrass Law Firm, PLLC P.O. Drawer 33809 Raleigh, NC 27636

This instrument was prepared by: Pendergrass Law Firm, PLLC (at the direction of the South Carolina Trust Counsel without review of Trust Instruments and without Title Examination, Survey or Tax Advice)

Brief description for the Index: 62.74 acres - Plat Book 101, Page 136

THIS DEED made this 6 day of February, 2020, by and between  
GRANTOR GRANTEE

CHARLES W. MOREN, Successor Trustee  
of the Moren Family Trust dated  
4 February 2009

CHARLES W. MOREN, Trustee of the  
Carolyn Davis Moren Living Trust  
dated 13 February 2018  
*in c/o Richard Canner*  
*115 Cargill Way, Suite C2, Hartsville, SC 29550 W.K.P.*

Enter in appropriate block for each Grantor and Grantee: name, mailing 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 \_\_\_\_\_ Township, Orange County, North Carolina and more particularly described as follows:

BEING all of that certain tract of land consisting of 62.74 acres shown and more fully described on that certain plat entitled "Exempt Plat of: WATERSTONE - Recombination and Private Access Easement Plat" dated 11/16/06, revised 1/24/07, 2/02/07 and 2/12/07, prepared by The John R. McAdams Company, Inc. and recorded in Plat Book/File 101, Page 136 in the Office of the Orange County Register of Deeds. [PIN # 9873-15-3366]

Page 1 of 2

*Wm*


All or a portion of the property herein conveyed \_\_\_ includes or X does not include the primary residence of a Grantor.  
A map showing the above described property is recorded in Plat Book 101, Page 136.

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 is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

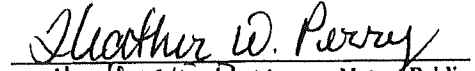
1. Taxes for the year 2020 and subsequent years, not yet due and payable;
2. That certain non-recourse dedication of right-of-way of Cates Creek Parkway Extension as same is more particularly depicted on that certain plat recorded in Plat Book 115, Page 39 in the Office of the Orange County Register of Deeds; and
3. Easements, restrictions, and rights-of-way of record.

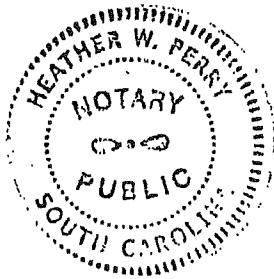
IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

 (SEAL)  
**CHARLES W. MOREN, Successor Trustee of the Moren Family Trust dated 4 February 2009**

State of South Carolina County or City of Darlington  
I, the undersigned Notary Public of the County or City of Darlington and State aforesaid, certify that CHARLES W. MOREN, Successor Trustee of the Moren Trust dated 4 February 2009 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 6 day of February, 2020

My Commission Expires: 5/2/24  
(Affix Seal)

  
Heather W. Perry Notary Public  
Notary's Printed or Typed Name



Heather W. Perry  
NOTARY PUBLIC  
State of South Carolina  
My Commission Expires 5/2/

Heather W. Perry  
NOTARY PUBLIC  
State of South Carolina  
My Commission Expires 5/2/2024

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## Tract 1

Beginning at an existing iron pipe located on the intersection of the eastern edge of the Old NC 86 right-of-way and the northern edge of the Cates Creek Parkway right-of-way; thence following the eastern edge of the Old NC 86 right-of-way with a curve turning to the right having an arc length of 70.37', a radius of 1694.08' and a chord bearing of N 17°27'14" W with a chord length of 70.36' to a new iron pipe; thence N 14°14'37" W a distance of 239.09' to a new iron pipe; thence N 14°15'11" W a distance of 149.60' to a new iron pipe; thence leaving the eastern edge of the Old NC 86 right-of-way N 73°56'50" E a distance of 419.37' to an existing iron pipe; thence S 82°01'52" E a distance of 1099.21' to a point; thence S 56°55'58" W a distance of 290.44' to a point; thence S 41°31'48" W a distance of 159.73' to a point; thence S 61°35'45" W a distance of 209.45' to an existing magnetic nail located on the northern edge of the Cates Creek Parkway right-of-way; thence following the northern edge of the Cates Creek Parkway with a curve turning to the left having an arc length of 502.57', with a radius of 399.40', with a chord bearing of N 78°51'06" W and a chord length of 470.06' to an existing iron pipe; thence S 65°14'11" W a distance of 341.81' to a new iron pipe; thence with a curve turning to the right with an arc length of 69.07', with a radius of 44.92', and a chord bearing of N 63°03'31" W, with a chord length of 62.46' to an existing iron pipe; thence S 67°41'19" W a distance of 15.19' to an existing iron pipe which is the point of Beginning, having an area of 515,615 square feet, 11.837 acres.

## Tract 2

Beginning at a new iron pipe located at the intersection of the eastern edge of the right-of-way of Old NC 86 and the southern right-of-way of Cates Creek Parkway; thence leaving the eastern right-of-way of Old NC 86 and following the southern edge of the Cates Creek Parkway right-of-way N 63°59'55" E a distance of 15.00' to an existing iron pipe; thence with a curve turning to the right with an arc length of 71.32', with a radius of 44.57', with a chord bearing of N 19°35'29" E, and a chord length of 63.95' to an existing iron pipe; thence N 65°06'47" E a distance of 341.64' to an existing iron pipe; thence with a curve turning to the right with an arc length of 427.44', with a radius of 339.26', with a chord bearing of S 78°51'12" E, with a chord length of 399.72' to an existing iron pipe; thence leaving the southern right-of-way of Cates Creek Parkway S 28°46'30" W a distance of 279.03' to a point; thence N 83°30'59" W a distance of 318.56' to an existing iron pipe; thence N 83°33'33" W a distance of 188.73' to an existing iron pipe; thence N 83°05'19" W a distance of 75.90' to an existing iron pipe located on the eastern edge of the Old NC 86 right-of-way; thence following the eastern edge of the Old NC 86 right-of-way N 27°23'04" W a distance of 50.65' to a new iron pipe which is the point of Beginning, having an area of 174,002 square feet, 3.995 acres.

## Tract 3

Beginning at an existing magnetic nail located on the northern edge of the Cates Creek Parkway right-of-way and also being located approximately 900' east of the Old NC 86 and Cates Creek Parkway intersection; thence leaving the northern edge of the Cates Creek Parkway right-of-way N  $61^{\circ}35'45''$  E a distance of 209.45' to a point; thence N  $41^{\circ}31'48''$  E a distance of 159.73' to a point; thence N  $56^{\circ}55'58''$  E a distance of 290.44' to a point; thence S  $82^{\circ}01'52''$  E a distance of 17.74' to a new iron pipe; thence S  $29^{\circ}34'40''$  E a distance of 188.85' to an existing iron pipe; thence S  $33^{\circ}32'32''$  E a distance of 287.77' to an existing iron pipe located on the northern edge of the Cates Creek Parkway right-of-way; thence following the right-of-way of Cates Creek Parkway S  $67^{\circ}51'06''$  W a distance of 352.79' to an existing iron pipe; thence with a curve turning to the right with an arc length of 447.48', with a radius of 369.88', with a chord bearing of N  $77^{\circ}30'11''$  W, and a chord length of 420.68' to an existing iron pipe; thence N  $42^{\circ}55'06''$  W a distance of 96.73' to an existing magnetic nail which is the point of Beginning, having an area of 247,160 square feet, 5.674 acres.

## Tract 4

Beginning at an existing iron pipe located on the southern edge of the Cates Creek Parkway and being located approximately 900' east of the Old NC 86 and Cates Creek Parkway intersection; thence following the southern edge of the Cates Creek Parkway right-of-way S 42°52'55" E a distance of 96.74' to an existing iron pipe; thence with a curve turning to the left with an arc length of 520.14', with a radius of 430.71', with a chord bearing of S 77°30'50" E, and a chord length of 489.11' to an existing iron pipe; thence N 67°49'59" E a distance of 353.32' to an existing iron pipe; thence S 16°21'09" E a distance of 683.79' to an existing iron pipe; thence S 05°05'56" E a distance of 1310.00' to an existing rebar; thence N 89°15'51" W a distance of 947.79' to an existing iron pipe; thence N 02°21'17" W a distance of 589.41' to an existing iron pipe; thence N 02°22'30" W a distance of 1126.02' to an existing concrete monument; thence N 83°30'59" W a distance of 297.15' to a point; thence N 28°46'30" E a distance of 279.03' to an existing iron pipe located on the southern edge of Cates Creek Parkway right-of-way, which is the point of Beginning, having an area of 1,683,147 square feet, 38.640 acres.