



APPLICATION ACCEPTANCE POLICY

GENERAL USE REZONING MAP AMENDMENTS

Chatham County
Planning Department

PO Box 54, Pittsboro, NC, 27312
Telephone 919-542-8204 | Fax 919-542-2698
www.chathamnc.org/planning

Chatham County understands that clear expectations make the application and development review processes easier for both applicants and staff. The policies outlined below will enable Planning Department staff to move the process along in a way that ensures that each application receives the attention it deserves. Staff desires to complete review of projects in an accurate and timely manner. Due to the preparation, reviews, and public hearing schedules, working with incomplete materials detracts from the timely review of applications.

1. Applications are to be reviewed for completeness by staff prior to being officially accepted for review. Applications that are dropped off or mailed in cannot be accepted without prior approval from the Zoning Administrator.

2. Checklists for each type of request are provided with each application package. If the application does not contain all required items on the checklist, it will be considered incomplete and shall not be accepted. **PLEASE REVIEW SECTION 19 FOR GENERAL USE REZONINGS IN THEIR ENTIRETY TO MAKE SURE ALL AREAS FOR SUBMISSION ARE COVERED.**

3. Upon determination by staff that an application is complete, it will be officially accepted by the Planning Department by accepting payment and issuing receipt. Staff will not hold materials for incomplete applications or any monies associated with the submittal of an application. Application fees must be paid at the time an application is submitted for acceptance. Sufficiency reviews take place over the next 15 days from submittal. Once advised by staff that the sufficiency review is complete, 16 copies of the application with all supporting documentation and a digital copy on cd, flash drive or pdf via email shall be provided.

4. In order to allow time to process fees, applications will not be accepted after 4:00 pm each day.

5. For your convenience, applicants may schedule an appointment with staff to review the application package before the official submission.

The Planning Department staff looks forward to working with you during the application process. If you have questions or need further assistance, please call 919-542-8285.



Chatham County Planning Department
PO Box 54/80-A East Street
Pittsboro, NC 27312
Ph: (919) 542-8204
Fax: (919) 542-2698

CHATHAM COUNTY APPLICATION FOR
CHANGE IN GENERAL USE ZONING
DISTRICTS

Applicant Information:

Landowner Information:

NAME: Chatham County Board of Commissioners

NAME: MONCURE HOLDINGS LLC

ADDRESS: 12 East Street, Pittsboro, NC 27312

ADDRESS: 2717 NEW HILL OLIVE CHAPEL RD, NEW HILL, NC 27562

CONTACT PH: (919) 545-8302

CONTACT PH: () N/A

EMAIL: N/A

EMAIL: N/A

PROPERTY IDENTIFICATION

Physical (911) Address: MONCURE FLATWOOD RD

PARCEL (AKPAR) No.: 5379, 5842

Township: Cape Fear Total Acreage: 987.140 Acreage to be Rezoned: 987.140

(Do not round acreage. Use exact acreage from tax record or survey)

CURRENT ZONING DISTRICT/CLASSIFICATION: AKPAR 5379: R-1 Residential. AKPAR 5842: CU IND-H

PROPOSED ZONING DISTRICT/CLASSIFICATION:

- R-1 Residential
- R-2 Residential
- R-5 Residential
- O & I Office & Institutional
- NB Neighborhood Business
- CB Community Business
- Regional Business
- IL Light Industrial
- IH Heavy Industrial

FEMA Flood Map Information:

Flood Map No. : 371096700J, 371096800J, 3710968700L, 3710968800K, 3720060600K Map Dates: 02/02/2007 and 11/17/2017

Flood Zone: AE and X

WATERSHED Information:

Current Watershed Classification: WS-IV PA

Within Jordan Lake Buffer Area: Yes No Partial

APPLICATION SUBMITTAL REQUIREMENTS

Attach the following as required in Section 19.4.C of the zoning ordinance:

- Map of the property showing the parcel or portions thereof that are affected by this rezoning request.
- Written legal description of such land
- Any alleged error in the Ordinance, if any, which would be remedied by the proposed amendment
- The changed or changing conditions, if any, which make the proposed rezoning reasonably necessary
- The manner in which the proposed rezoning will carry out the intent and purpose of the adopted Land Use Plan or part thereof
- List all other circumstances, factors, and reason which the applicant offers in support of the proposed amendment
- All other information required on this application or as offered by the applicant in support of the request

Please provide 16 sets of this application submittal with all supporting documentation, maps, summaries, etc.

No application packets will be taken after 4pm. All fees must be paid at the time of application submittal. For the purposes of calculating this application fee, use the following:



Chatham County Planning Department
PO Box 54/80-A East Street
Pittsboro, NC 27312
Ph: (919) 542-8204
Fax: (919) 542-2698

Application Fee: \$500.00 plus \$25/per acre (ex: \$25 x 1.42ac = \$35.50 plus \$500 = \$535.50 total fee)

PLEASE SIGN THE MOST ACCURATE SIGNATURE OPTION BELOW (1, 2, OR 3)

(1) I hereby certify that **I am the owner or authorized agent of said property** and that the information provided is complete and the statements given are true to the best of my knowledge.

Signature

Date

Print Name

The owner must sign the following if someone other than the owner is making the application.

(2) I hereby certify that (please print) _____ is an authorized agent for said property and is permitted by me to file this application.

Signature

Date

Print Name

(3) I acknowledge that **I am not the landowner OR authorized agent** of the property for which this application is being made, but I do live within the zoned area of the county.

Diana Hales

Signature
2/19/18

Date
Diana Hales

Print Name

FOR OFFICE USE ONLY

Application No.: PL20 Date Received: _____ 20__

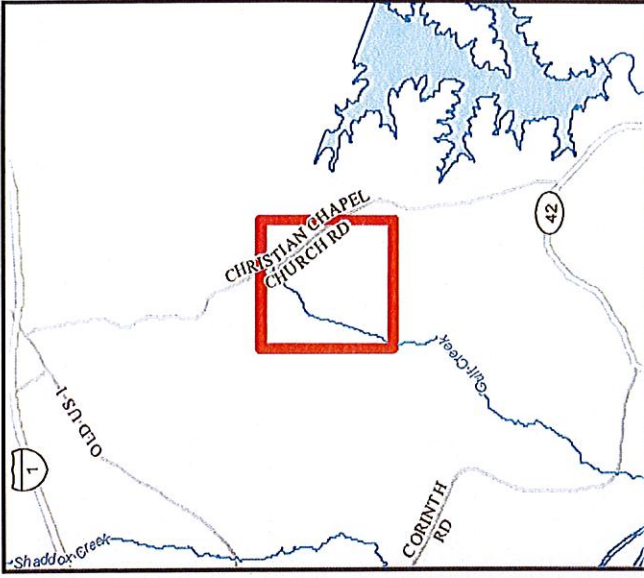
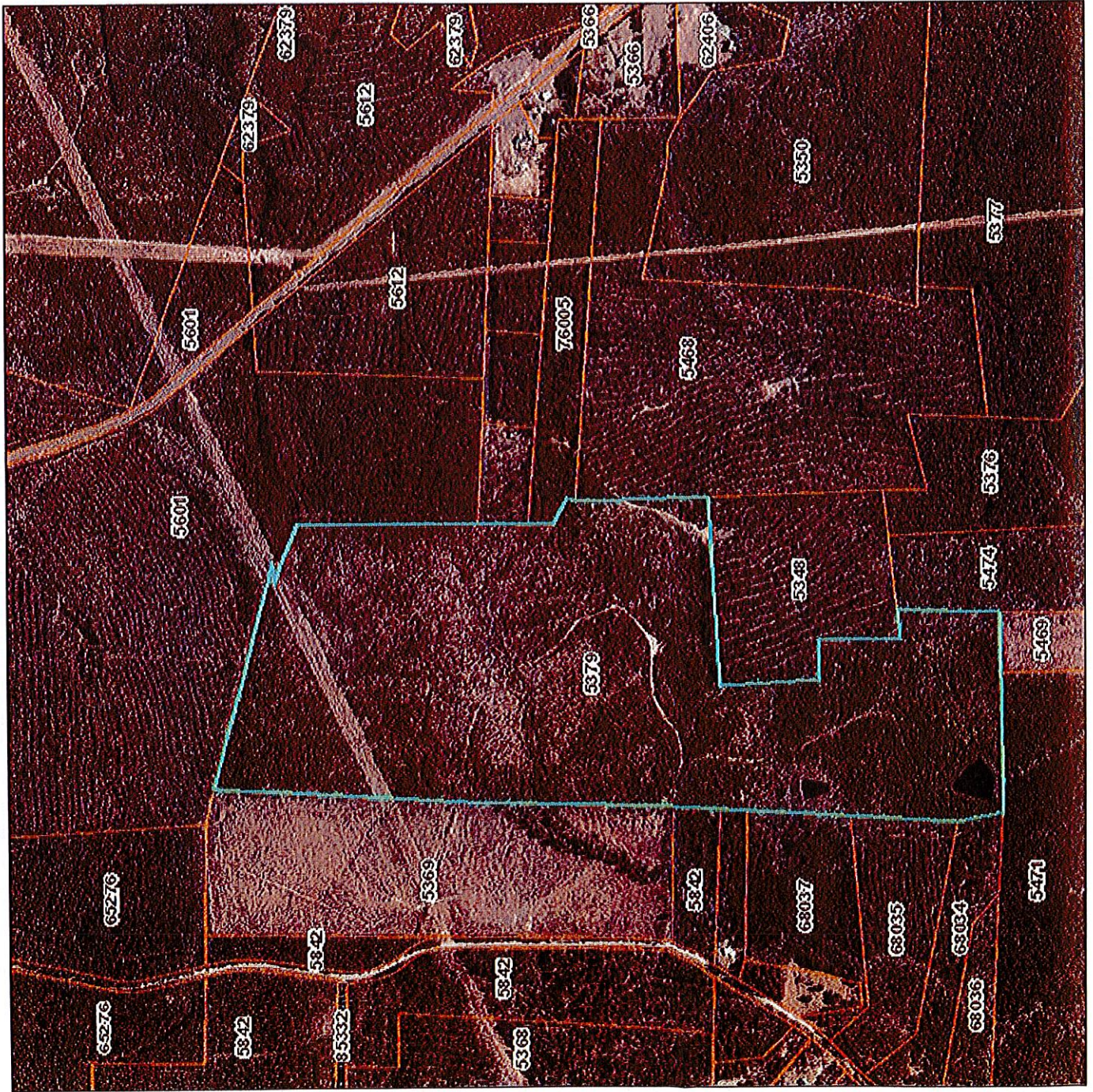
Payment Received: \$ _____

Check No. _____ Cash Credit Card Money Order

General Use Rezoning Application for Parcels 5379 and 5842

- 1) Any alleged error in the Ordinance, if any, which would be remedied by the proposed amendment: this rezoning application does not allege any error in the Ordinance.
- 2) The changed or changing conditions, if any, which make the proposed rezoning reasonably necessary: Chatham County has secured an option to later purchase parcels #5379 and 5842, which are currently zoned R-1 Residential and CU IND-H Conditional Use Heavy Industrial. These parcels constitute a portion of the “Moncure Mega Site”, an area that is being readied for future industrial development. There is significant industrial activity in the area already. Parcel #5842 is currently zoned “CU IND-H”, but the Conditional Use Permit for industrial uses has expired. These two parcels need to be rezoned to IND-H in order to allow future industrial development of the Moncure Mega Site.
- 3) The manner in which the proposed rezoning will carry out the intent and purpose of the adopted Comprehensive Land Use Plan: The Moncure Mega Site is shown on the Comprehensive Future Land Use Map as an “Employment Center”. The Comp Plan describes Employment Centers as “targeted for future job-generating uses in settings that meet today’s workplace expectations.” Economic Development Policy #3 in the Comp Plan states that the County should “continue to develop and promote the Chatham-Siler City Advanced Manufacturing (CAM) Site and the Moncure Megasites to ensure future job creation in the County.” Development of the Moncure Megasite is not possible unless it is zoned for heavy industrial use. Therefore, the requested rezoning of these two parcel to IND-H is critical to “developing and promoting” the Moncure Megasite to future employers, as supported in the Comp Plan.
- 4) All other circumstances, factors, and reason which the applicant offers in support of the proposed amendment: The Moncure Megasite is a 2,500+ acre assemblage under one ownership that is being promoted for industrial development. The site is within a 45 minute drive of the Triangle area of North Carolina, which offers access to the state capital, international airport, and multiple universities and colleges. The site also has access to transportation and infrastructure to serve a wide range of industrial uses.

Parcel #5379 Rezoning Map



Service Layer Credits: NC911, Chatham County, Chatham County GIS



Date: 2/22/2018
Time: 9:47:05 AM

1339
1158

FILED
CHATHAM COUNTY
REBA G. THOMAS
REGISTER OF DEEDS

FILED Jun 08, 2007
AT 10:22:50 am
BOOK 01339
START PAGE 1158
END PAGE 1160
INSTRUMENT # 07472

BOOK 1339 PAGE 1158

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$11,342.00

Tax Parcel Identifier No. 9697-26-9773.000 and 9698-22-7074.000

Chatham County 06-08-2007
NORTH CAROLINA
Real Estate
Excise Tax \$11,342.00

Mail after recording to:

Frank M. Bell Jr., Esq.
Bell, Davis & Pitt, P.A.
PO Box 21029
Winston-Salem, NC 27120

This instrument was prepared without title examination by: Wyrick Robbins Yates & Ponton LLP (JKS)

Brief description for the Index:

Approx. 945.133 acres

THIS DEED made this 6th day of June, 2007, by and between

GRANTOR	GRANTEE
CHATHAM RIDGE, LLC, a North Carolina limited liability company 401 Ramblewood Drive Raleigh, NC 27609	MONCURE HOLDINGS, LLC, a North Carolina limited liability company c/o David F. Kaplan 6288 Porterdale Dr. Malibu, CA 90225 90265

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 Cape Fear Township, Chatham County, North Carolina and more particularly described as follows:

Exhibit A
Legal DescriptionTRACT 1, 2, 3 AND 4:

BEING all of Tract 1, containing 4.955 acres; Tract 2, containing 18.462 acres; Tract 3, containing 4.577 acres; and Tract 4, containing 827.048 acres, all as shown on "Boundary Survey of Sustainable Forests, L.L.C. Property, Tracts 1-4" by Kenneth Close, Inc., dated October 31, 1998 and recorded in Plat Slide 98-425, Chatham County Registry; together with all right, title and interest, if any, in and to the right-of-way of S.R. 1924.

TRACT 5:

BEGINNING at an iron pipe set in the eastern right-of-way line of the Seaboard Coastline Railroad 100' right-of-way (Deed Book EX, Page 535) and in the southern line of property now or formerly owned by Ray Jack Tilley, said iron being located North 88° 07' 37" West 27.94 feet from the southeastern corner of Tilley and the southwestern corner of property now or formerly owned by Luie Murry, the point and place of beginning; running thence from said beginning point with the southern line of Ray Jack Tilley South 88° 07' 37" East 27.94 feet to an iron pipe; thence with the line of Luie Murry South 88° 07' 37" East 604.52 feet to an iron pipe; thence South 88° 09' 14" East 1502.13 feet to an iron pipe; thence South 01° 58' 10" West 1708.91 feet to an iron pipe with N.C. Grid Coordinates N=681,147.888; E=1,993,911.852; thence South 88° 14' 57" West 727.81 feet to an iron pipe; thence with the line of Annie Elizabeth Britt Bates North 86° 24' 26" West 532.27 feet to an iron pipe; thence with the line of M.A. Perry North 86° 24' 26" West 1042.42 feet to an iron pipe; thence with the line of Precious Smith, Jr., North 01° 41' 41" East 874.13 feet to an iron pipe set in the eastern line of the Seaboard Coastline Railroad; thence with the eastern right-of-way line of said Seaboard Coastline Railroad the following courses and distances: North 18° 28' 22" East 49.96 feet; North 17° 13' 16" East 50.77 feet; North 16° 16' 13" East 50.44 feet; North 15° 22' 58" East 50.34 feet; North 14° 30' 39" East 50.55 feet; North 13° 41' 01" East 50.45 feet; North 13° 01' 44" East 50.82 feet; North 12° 40' 44" East 49.73 feet; North 12° 16' 06" East 50.45 feet; North 11° 46' 27" East 299.33 feet; North 12° 20' 17" East 49.37 feet and North 12° 50' 49" East 48.63 feet to the point and place of BEGINNING, containing 89.764 acres as shown on a "Boundary Survey of Sustainable Forests, L.L.C. Property, Tracts 5 & 6" by Kenneth Close, Inc., dated October 31, 1998.

TRACT 6:

BEGINNING at an iron pipe in the southern line of Ray Jack Tilley, said iron also marking the northwestern corner of property now or formerly owned by Luie Murry, the point and place of beginning; running thence from said beginning point with the southern line of Tilley South 88° 07' 37" East 72.08 feet to an iron pipe in the western right-of-way line of Seaboard Coastline Railroad; thence with said line of Seaboard Coastline Railroad the following courses and distances: South 12° 50' 49" West 29.69 feet; South 12° 20' 17" West 50.30 feet; South 11° 46' 27" West 299.39 feet and South 12° 16' 06" West 25.33 feet to an iron pipe set in the line of Luie Murry; thence with the line of Murry North 01° 41' 41" East 398.46 feet to the point and place of BEGINNING, containing 0.327 acres, as shown on a "Boundary Survey of Sustainable Forests, L.L.C. Property, Tracts 5 & 6" by Kenneth Close, Inc., dated October 31, 1998;

Tracts 4 and 5 are granted together with and subject to rights of access as granted in an Exchange of Right of Ways recorded in Book 571, Page 224 between Federal Paper Board Company, Inc., and M.A. Perry and wife, Nancy A. Perry with respect to the Perry lands described in Book 541, Page 918, Chatham County Registry.

Tracts 5 and 6 are the same property deeded to Federal Paper Board Company, Inc, by Deed recorded in Book 386, Page 792, Chatham County Registry, as Tract #2. Sec Plat Book 17, Page 13, Chatham County Registry.

Notwithstanding anything herein to the contrary, only with respect to the "Underlap Area" consisting of .081 acres located on the southern edge of Tract 2 and the southern edge of Tract 1 as shown on "Boundary Survey of Sustainable Forests, L.L.C. Property, Tracts 1-4" by Kenneth Close, Inc., dated October 31, 1998 and recorded in Plat Slide 98-425, Chatham County Registry. Grantor disclaims all warranties of title as to the

1643 .
0673

FILED
CHATHAM COUNTY NC
TREVA B. SEAGROVES
REGISTER OF DEEDS
FILED Sep 27, 2012
AT 04:13:37 pm
BOOK 01643
START PAGE 0673
END PAGE 0676
INSTRUMENT # 10231
EXCISE TAX \$300.00

BOOK 1643 PAGE 0673

Type Of Instrument: Special Warranty Deed
Prepared By: Kenneth L. Eagle
Mail To/Hold For: Frank Bell, 100 N. Cherry Street, Winston-Salem, NC 27120

Excise Tax \$300.00

Real Estate ID 0005379

NOTE: The Property conveyed by this Deed does NOT include the primary residence of the Grantor.
The Attorney who prepared this Deed gives no opinion regarding title to the Property hereby conveyed.

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED is made this 25th day of September, 2012, by and between:

GRANTOR: Atlas NC II SPE, LLC

Address: 200 W. Second Street, 7th Floor, Winston-Salem, NC 27101

GRANTEE: Moncure Holdings, LLC

Address: c/o Gary Kaplan, 15110 Amherst Green Court, Chesterfield, MO 63017

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

WITNESSETH:

THE GRANTOR, for a valuable consideration paid by the Grantee, the sufficiency and 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 real property, lying and being in Chatham County, North Carolina, and being more particularly described as follows (and referred to herein as the "Property"):

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED BY REFERENCE

The Property was acquired by Grantor by instrument recorded in the Chatham County, North Carolina Registry in Book 1632, Page 237.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

(m:\Atlas NC II SPE, LLC\Moncure - 132.1 Acres\Closing\Atlas Deed v1)

BOOK 1643 PAGE 0674

AND THE GRANTOR covenants with the Grantee that Grantor has done nothing to impair such title to the Property as Grantor received, and Grantor will warrant and defend such title against the lawful claims of all persons claiming by, under or through Grantor, except for the following exceptions (all recording references are to the Chatham County, North Carolina Registry):

1. Ad valorem property taxes for 2013 and subsequent years.
2. All matters that would be shown by a current and accurate survey of the Property.
3. All matters affecting the Property that existed at the time Grantor acquired title to the Property, including, without limitation, rights of way, easements, restrictions, plats, and other matters of record in Chatham County, North Carolina, some of which are more particularly described as follows:
 - a. All matters shown on the plat recorded in Plat Slide 2002-405.
 - b. Lack of access from the Property to and from a public road.
 - c. Terms and conditions of easement described in Book 960, Page 82.
 - d. Easements to Carolina Power & Light Company recorded in Book 494, Page 627; Book 494, Page 631; and Book 494, Page 635.
 - e. Easement to North Carolina Department of Transportation recorded in Book 1183, Page 635.
4. Rights of others in and to the continued and uninterrupted flow of waters in all rivers, creeks, streams, and branches, if any, crossing any part of the Property.
5. Zoning, land use, and other governmental laws, ordinances, regulations, policies, approvals, and permits (including, without limitation, special use permits) affecting the Property.
6. All leases affecting the Property, if any, and all rights or claims of all parties in possession of the Property, if any, whether or not pursuant to any oral or written lease.
7. As provided in "Agreement For Purchase And Sale" between Grantor and Grantee dated September 10, 2012, Grantor conveys the Property to Grantee "AS IS, WHERE IS, WITH ALL FAULTS AND LIMITATIONS".

IN WITNESS WHEREOF, the Grantor has caused this Deed to be executed in its company name by its duly authorized official, the day and year first above-written.

Atlas NC II SPE, LLC

By: *Douglas W. Weaver V.P.*
Douglas W. Weaver
Vice-President

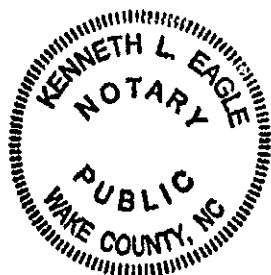
State of North Carolina, County of Wake

I certify that the following person personally appeared before me this day and acknowledged to me that he executed the foregoing document in the capacity indicated: Douglas W. Weaver.

Date: September 25, 2012

(affix seal or stamp here)

Kenneth L. Eagle
Notary Public
Printed/Typed Name: Kenneth L. Eagle
My Commission Expires: July 10, 2015



**EXHIBIT A
PROPERTY DESCRIPTION**

LYING AND BEING in Chatham County, North Carolina, and more particularly described as follows:

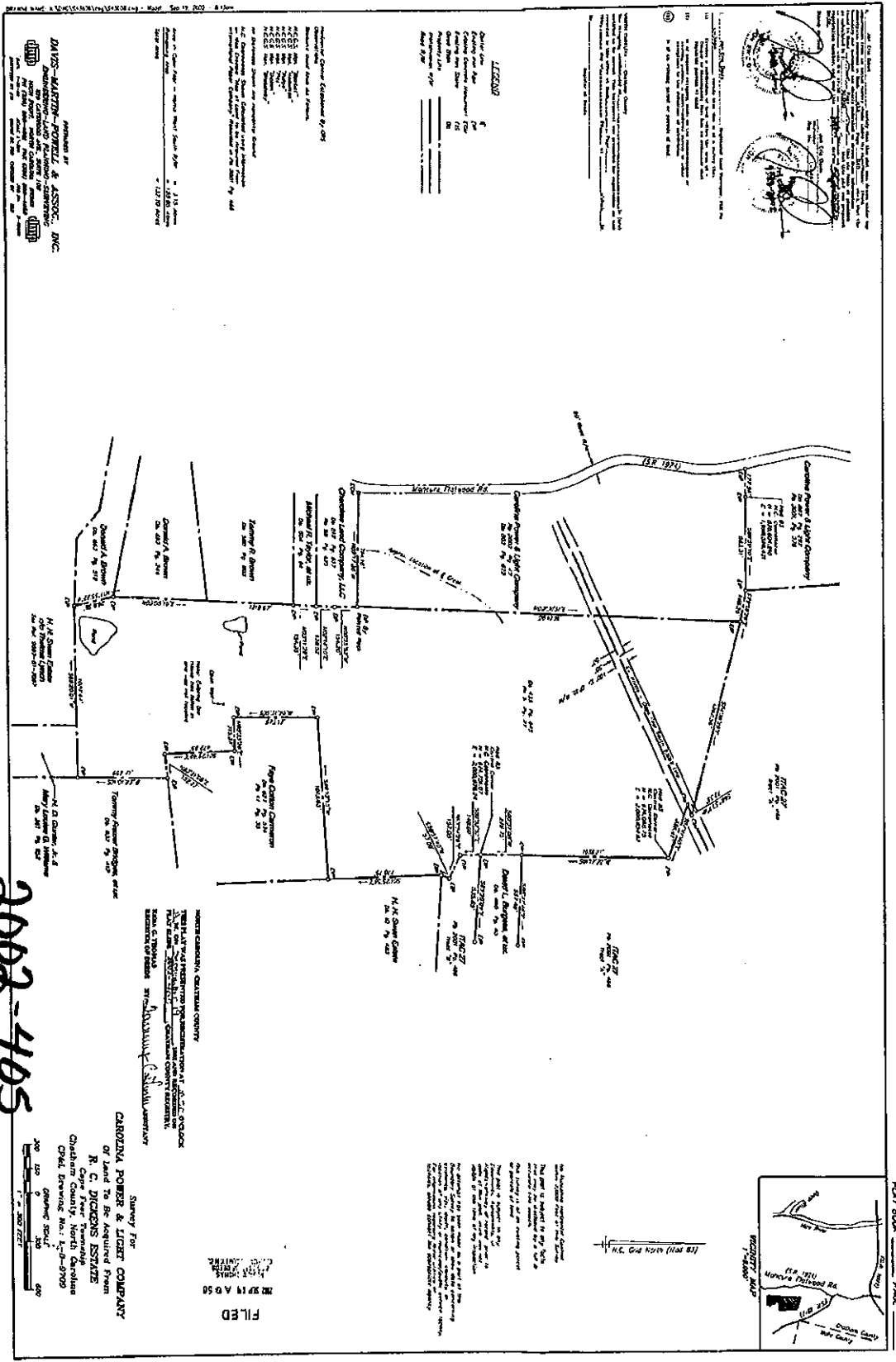
All of that certain tract or parcel of land containing 132.10 acres, more or less, as more particularly shown and defined upon that plat entitled "Survey for Carolina Power & Light Company of land to be acquired from R.C. Dickens Estate, Cape Fear Township, Chatham County, North Carolina - CP&L Drawing No. L-D-9709", and prepared by Davis, Martin, Powell and Associates, Inc., dated July 22, 2002, plat recorded in Plat Slide 2002-405, Chatham County Registry, reference is hereby made for more particular and complete description.

This conveyance is made subject to right of way to Carolina Power & Light Company 100 feet in width for electric transmission as shown and defined on the above-referenced plat.

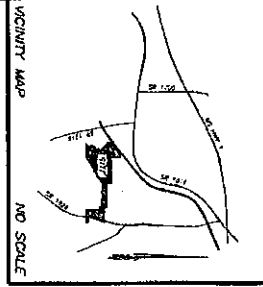
This conveyance is expressly made subject to and together with all easements, restrictions, reservations and equitable servitudes, if any, as may be of record.

(Note: The foregoing description was copied from a Deed recorded in the Chatham County, North Carolina Registry in Book 1632, Page 237.)

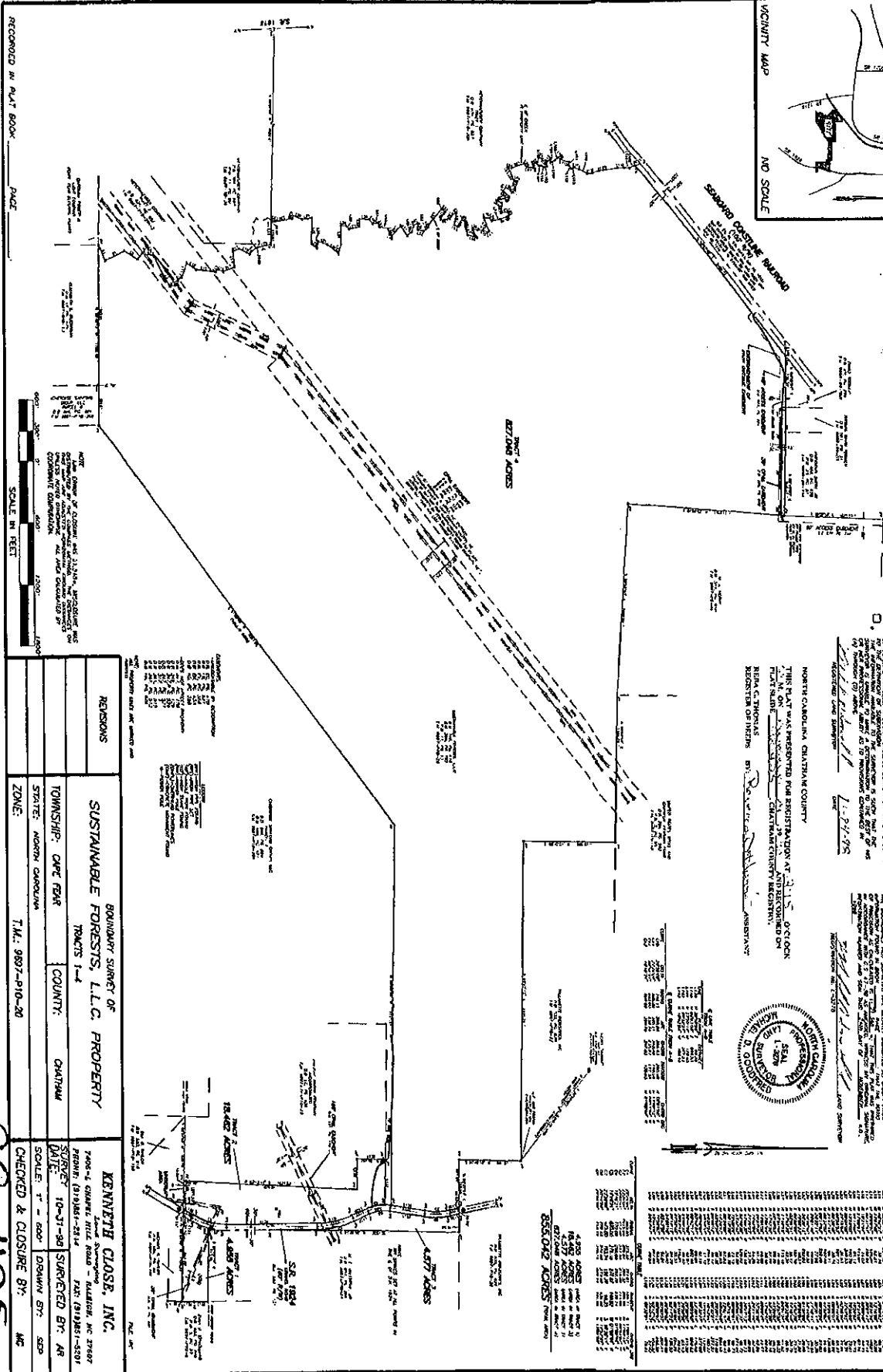
2002-405



2002-405



10/24/2013 2:15 PM '13



REVISIONS		BOUNDARY SURVEY OF SUSTAINABLE FORESTS, L.L.C. PROPERTY TRACTS 1-4		KENNETH CLOSE, INC.	
NO. 1	DATE	TOWNSHIP	COUNTY	SURVEY	DATE
1	10-31-10	CHATEAU	CHATHAM	10-31-10	10-31-10
DRAWN BY: SEP		CHECKED & CLOSURE BY: MJC		T.M.: 9807-PI0-20	

THIS PLAT WAS PREPARED AND SUBMITTED BY **THOMAS M. THOMAS** AND RECORDED ON **10/24/2013** IN **CHATHAM COUNTY** REGISTERED PROFESSIONAL SURVEYOR



NO.	DESCRIPTION	AREA
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98-425

RECORDED IN PLAT BOOK PAGE