

PREPARED BY AND RETURN TO:
TOWN CLERK
TOWN OF CARRBORO
301 West Main Street
CARRBORO, NORTH CAROLINA 27510



NORTH CAROLINA

BOOK 2588 PAGE 193

ORANGE COUNTY

TOWN OF CARRBORO

CONDITIONAL USE PERMIT GRANTED

On the date(s) listed below, the Board of Aldermen of the Town of Carrboro met and held a public hearing to consider the following application:

| |
|---|
| APPLICANT: Jack Haggerty |
| OWNER: Felix Roux |
| PROPERTY LOCATION (Street Address): 203 West Weaver Street |
| TAX MAP, BLOCK, LOT(S): 7.98.N.9 <i>9778-86-0319</i> |
| PROPOSED USED OF PROPERTY: Restaurant with outside service and consumption |
| CARRBORO LAND USE ORDINANCE USE CATEGORY: 8.200 |
| MEETING DATES: April 16, 2002 |

Having heard all the evidence and arguments presented at the hearing, the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Carrboro Land Use Ordinance for the development proposed, and that therefore the application to make use of the above described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Land Use Ordinance and the following conditions:

1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be pointed out specifically to the administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.

2) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

3) That the applicant bring the proposed color scheme for the building back to the Appearance Commission for a courtesy review.

This permit shall automatically expire within two years of the date of issuance if the use has not commenced or less than 10 percent (10%) of total cost of construction has been completed or there has been non-compliance with any other requirements of Section 15-62 of the Carrboro Land Use Ordinance.

All street construction on those streets proposed for acceptance by the Town of Carrboro shall be certified by an engineer. Engineering certification is the inspection by the developer's engineer of the street's subgrade, base material, asphalt paving, sidewalks and curb and gutter, when used. The developer's engineer shall be responsible for reviewing all compaction tests that are required for streets to be dedicated to the town. The developer's engineer shall certify that all work has been constructed to the town's construction specifications.

TOWN OF CARRBORO
CONDITIONAL USE PERMIT (con't)
Page #2

If this permit authorizes development on a tract of land in excess of one acre, nothing authorized by the permit may be done until the property owner properly executes and returns to the Town of Carrboro the attached acknowledgment of the issuance of this permit so that the town may have it recorded in the Orange County Registry.

NORTH CAROLINA

ORANGE COUNTY

IN WITNESS WHEREOF, the Town of Carrboro has caused this permit to be issued in its name, and the undersigned being all of the property above described, do hereby accept this Conditional Use Permit, together with all its conditions, as binding upon them and their successors in interest.

ATTEST:

Sarah C. Williamson
Town Clerk



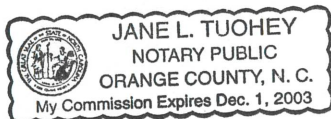
THE TOWN OF CARRBORO

BY

Robert W. Morgan
Town Manager

I, Jane L. Tuohey Notary Public in and for said County and State, do hereby certify that Sarah C. Williamson, Town Clerk for the Town of Carrboro, personally came before me this day and being by me duly sworn says each for himself that she knows the corporate seal of the Town of Carrboro and that the seal affixed to the foregoing instrument is the corporate seal of the Town of Carrboro, that Robert W. Morgan, Town Manager of said Town of Carrboro and Sarah C. Williamson, Town Clerk for the Town of Carrboro subscribed their names thereto; that the corporate seal of the Town of Carrboro was affixed thereto, all by virtue of a resolution of the Board of Aldermen, and that said instrument is the act and deed of the Town of Carrboro.

IN WITNESS THEREOF, I have hereunto set by hand and notarial seal this the 8 day of May, 2002.



Jane L. Tuohey (SEAL)
Notary Public

My Commission Expires: _____

I (We), Felix Roux-Ripoll Annie Roux-Ripoll owner(s), do hereby acknowledge receipt of this Conditional Use Permit. The undersigned owner(s) do further acknowledges that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding upon them and their successors in interest.

Felix Roux-Ripoll
Owner

Annie Roux-Ripoll
Owner

NORTH CAROLINA
ORANGE COUNTY

I, Barbara Bell Mes, a Notary Public in and for said County and State, do hereby certify that Felix Roux-Ripoll Annie Roux-Ripoll appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this the 25 day of April, 2002.



Barbara Bell Mes
Notary Public

My Commission Expires 1-23-05

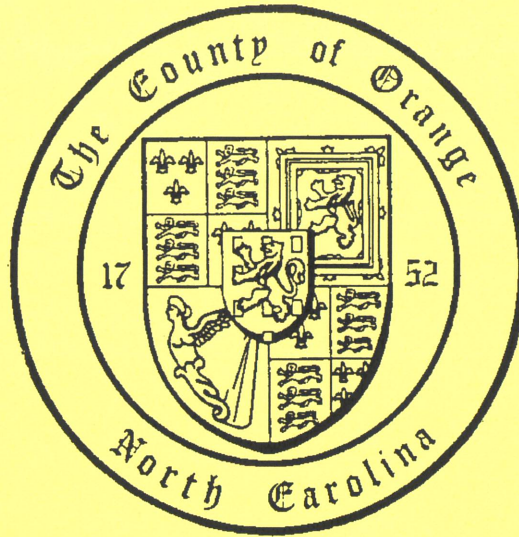
My Commission Expires: 1-23-05

(Not valid until fully executed and recorded)

STATE OF NORTH CAROLINA
COUNTY OF ORANGEThe foregoing certificate(s) of _____ Notary/Notaries
Public of the designated governmental units (is) (are) certified to be correct.

This the ____ day of _____, A.D. 20__.

Register of DeedsBy: _____
Assistant/Deputy Register of Deeds**PREPARED BY AND RETURN TO:****TOWN CLERK
TOWN OF CARRBORO
301 West Main Street
CARRBORO, NORTH CAROLINA 27510**



Joyce H. Pearson
Register of Deeds
Orange County
North Carolina

FILED
13 MAY 2002, at 02:55:13pm
Book 2588, Page 193 - 196
Joyce H. Pearson
Register of Deeds,
Orange County, N. C.

State of North Carolina, County of Orange

The foregoing certificate/s of Jane L. Tuohey and Barbara Belk Myers , Notary/Notaries Public for the Designated Governmental units is/are certified to be correct. See filing certificate herein.

This day May 13, 2002

JOYCE H. PEARSON, REGISTER OF DEEDS By:

Hauette Benadeum
Deputy/Assistant Register of Deeds