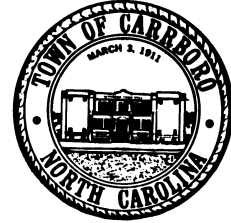


NORTH CAROLINA
ORANGE COUNTY



TOWN OF CARRBORO

CONDITIONAL USE PERMIT - AMENDMENT

THIS DOCUMENT IS FILED TO AMEND THE ORIGINAL CONDITIONAL USE PERMIT DATED APRIL 9, 2002 and THE SUBSEQUENT AMENDMENT DATED APRIL 8, 2003 THAT ARE ON FILE IN THE ORANGE COUNTY REGISTRY IN BOOK 2598, PAGE 163 AND BOOK 3260 PG 48, RESPECTIVELY.

The Board of Aldermen granted the amendment to the conditional use permit requested by Club Nova Apartments LLC on June 24, 2014.

The following conditions are added to the permit:

1. That all previously adopted conditions from the August 9, 2002 CUP shall remain in effect, subject to this permit modification;
2. That the 10 parking spaces provided on-site in combination with the 13 satellite parking spaces that have been encumbered by signed satellite parking agreements with their respective property owners (submitted as evidence during the public hearing), is found to be sufficient to serve the needs of the proposed permit modification. The applicant must maintain a minimum of 13 qualified satellite spaces to remain in compliance with this permit. This finding is made based upon the applicant's parking justification materials presented to the Board at the public hearing.
3. That the Board of Aldermen hereby finds that that the loading and unloading areas shown on the plans presented at the hearing are sufficient to accommodate delivery operations in a safe and convenient manner though they do not satisfy the provisions of Section 15-300 by allowing this loading area to be located within a parking aisle. The Board makes this finding by accepting the applicant's written justification for this arrangement.
4. That the applicant shall provide to the Zoning Division, prior to the recordation of the final plat for the project or before the release of a bond if some features are not yet in place at the time of the recording of the final plat, Mylar and digital as-builts for the stormwater features of the project. Digital as-builts shall be in DXF format and shall include a base map of the whole project and all separate plan sheets. As-built DXF files shall include all layers or tables containing storm drainage features. Storm drainage features will be clearly delineated in a data table. The data will be tied to horizontal controls.
5. That prior to construction plan approval, the applicant demonstrate compliance with the provisions of the Land Use Ordinance pertaining to Construction Management Plans (Section 15-49(c-1)).
6. Must obtain a NCDOT driveway permit prior to construction plan approval.
7. That any and all easements be obtained prior to construction plan approval.

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.

THE TOWN OF CARRBORO

ATTEST:

_____(SEAL) BY _____
Town Clerk Town Manager

I, _____, a Notary Public in and for said County and State, do hereby certify that Catherine Wilson, 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 David Andrews, Town Manager of said Town of Carrboro and Catherine Wilson, 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 ____ day of _____, 2014.

_____(SEAL)
Notary Public
My Commission Expires:_____

We, Club Nova Apartments LLC, owners, do hereby acknowledge receipt of this Conditional Use Permit. The undersigned owners 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.

CLUB NOVA APARTMENTS LLC
BY: Its Managing Member
103 West Main Street, Inc.

Doug Miller, President

NORTH CAROLINA
_____ COUNTY

I, _____, a Notary Public of the County and State aforesaid, certify that Doug Miller personally came before me this day and acknowledged that he is President of 103 WEST MAIN STREET, INC., a North Carolina corporation, which is manager of CLUB NOVA APARTMENTS, LLC (the “Company”) and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by him as President on behalf of the Company as manager thereof all by authority duly given.

Witness my hand and official seal this ____ day of _____, 2003.

Notary Public

My Commission Expires:_____

(Not valid until fully executed and recorded)

STATE OF NORTH CAROLINA
COUNTY OR ORANGE

The foregoing certificate(s) of _____Notary/Notaries Public of the designated governmental units (is) (are) certified to be correct.

This the ____ day of _____, A.D. 2003.

Register of Deeds

By:_____
Assistant/Deputy Register of Deeds

PREPARED BY AND RETURN TO:

TOWN CLERK
TOWN OF CARRBORO
301 West Main Street
CARRBORO, NORTH CAROLINA 27510