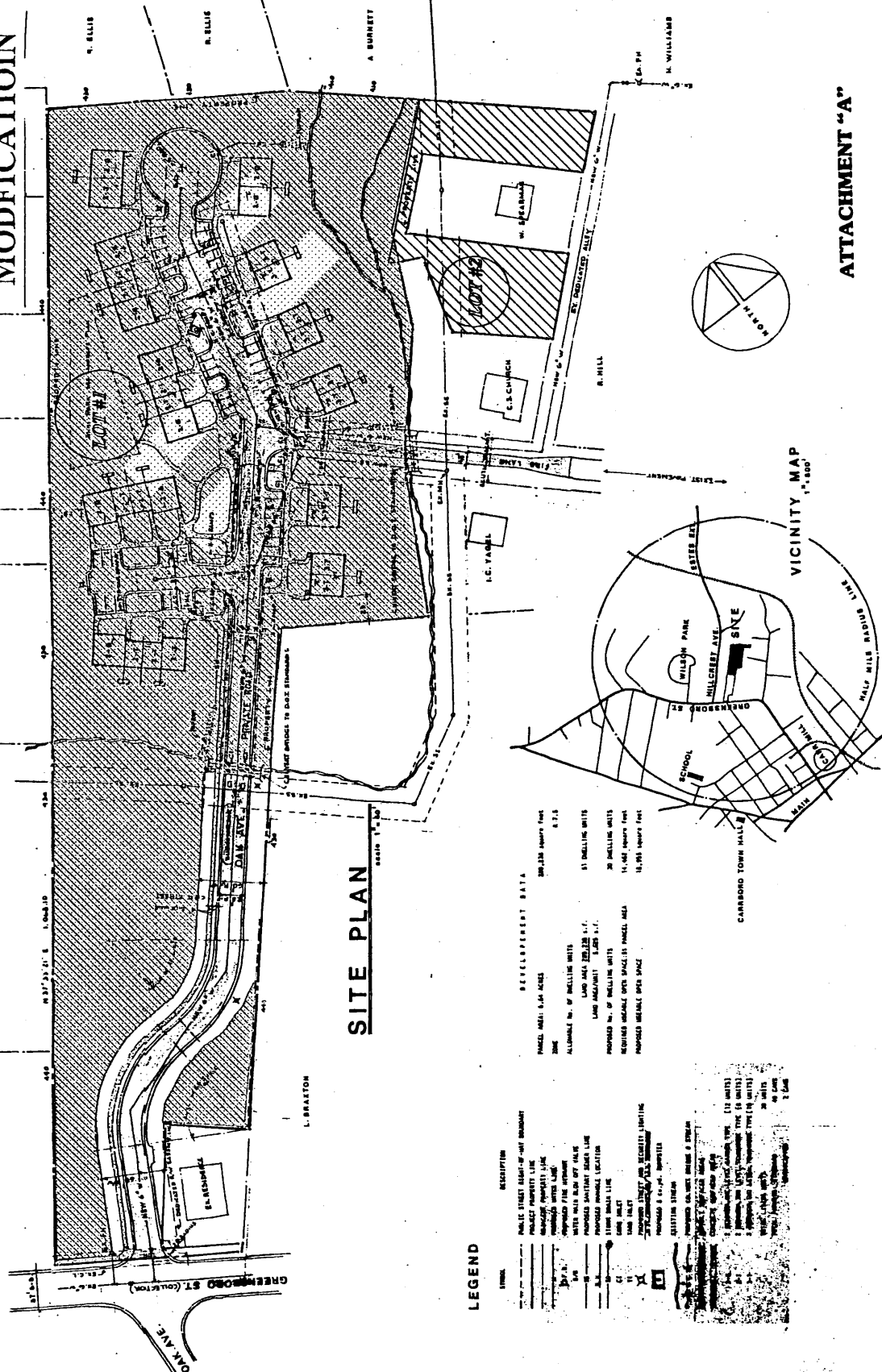


OAKWOOD CUP MODIFICATION

OAKWOOD APARTMENTS
CHAPEL HILL HOUSING AUTHORITY

GARY GILES, AKA: JOSH GURLITZ
REGISTERED ARCHITECTS
320 W. ROSENWALD ST.
CHERRY HILL, N.C.

102



ATTACHMENT "A"

VICINITY MAP

LEGEND

[illegible]

OAKWOOD CUP MODIFICATION A-2

- Oakwood Property Line
- Proposed Sewer Line
- Proposed Sewer Easement
- Existing Sewer Line
- Stream
- Intermittent Stream
- Ditches/Drainage Facility
- Bldg
- 2 Foot Contour
- Buffers83.shp
- Oak Ave Right-of-Way
- Proposed New Lot #2
- Carboro Lot #4
- Deed Gap #3



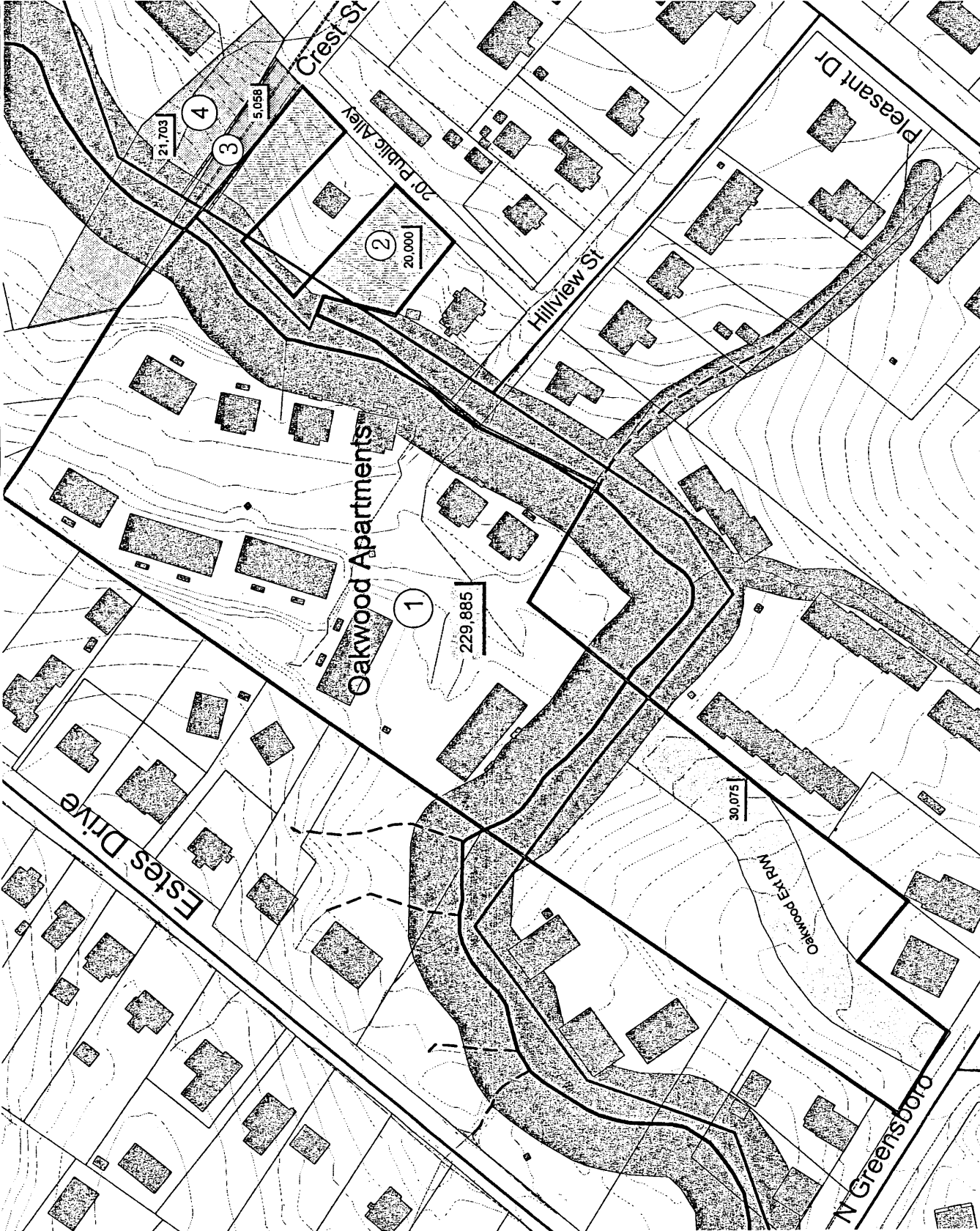
89 0 89 Feet

NC State Plane Coordinate System (NAD83)



TOWN OF CARBORO
381 W. Main St.
Carboro, NC 27518
28 July 2005
Ray Williams, Planning Department
910-713

THIS MAP IS NOT A CERTIFIED SURVEY AND IS FOR REFERENCE ONLY.
The engineer and the owner of this modification will jointly bear responsibility for
the appropriate use of the information with respect to possible errors, omissions, and
incomplete information, including, but not limited to, the following:



A RESOLUTION APPROVING THE OAKWOOD CUP MODIFICATION
AND
AUTHORIZING THE TOWN MANAGER TO CONTINUE TO
WORK WITH THE TOWN OF CHAPEL HILL TO
CREATE AND ACCEPT A NEW LOT ALONG CREST STREET
AUTHORIZED FOR CONVEYANCE BY THE TOWN OF CHAPEL HILL AND TO
GRANT A SEWER EASEMENT TO SERVE 101 CREST STREET
Resolution No. 01/2002-03

WHEREAS, The Town of Carrboro owns a parcel (Tax Map reference 7.94.A.16A) off of Crest Street adjacent to property owned by the Town of Chapel Hill and part of the Oakwood Apartments tract (Tax Map reference 7.97.B.21B),

WHEREAS, A deed gap of approximately 5,000 square feet in size exists between the Oakwood property and Carrboro's property that will require a quitclaim deed;

WHEREAS, the Executive Director of Habitat for Humanity requested the Town of Carrboro on April 24, 2001, to grant a sanitary sewer easement to OWASA to serve a lot owned by the Community Land Trust at 101 Crest Street;

WHEREAS, the Mayor of Carrboro, as requested by the Carrboro Board of Aldermen on May 8, 2001, asked the Chapel Hill Town Council in a letter to the Mayor of Chapel Hill, dated May 29, 2001, to work with Carrboro to resolve an easement issue that is negatively impacting affordable housing;

WHEREAS, the Carrboro Board of Aldermen requested the Town of Chapel Hill to work with the Town of Carrboro to share an easement along the common property line OR to combine lots owned by the two towns to provide additional housing opportunities;

WHEREAS, the Town of Chapel Hill adopted a resolution (2001-06-25/R-6) on June 25, 2001, authorizing their Town Manager to initiate procedures for conveying a portion of lot 7.97.B.21B to the Town of Carrboro pursuant to the provisions of G.S. 160A-274;

WHEREAS, the Town of Chapel Hill in resolution (2001-06-25/R-6), resolved that the conveyance of land to the Town of Carrboro would be contingent on a performance agreement with the Town of Carrboro and the following specific items:

1. The creation of two new lots would not adversely impact the terms of the Town's Conditional Use Permit for the Oakwood public housing;
2. The Town of Carrboro would prepare a modification to the Town's Conditional Use Permit to subdivide the property;
3. The lots would be donated for affordable housing purposes;
4. The Town of Carrboro would strongly consider placing the properties in the Land Trust;
5. The U.S. Department of Housing and Urban Development would approve the changes in the land area of the property owned by the Town; and
6. The Town of Carrboro would assume all closing costs for the conveyance of the properties;

WHEREAS, the Town of Chapel Hill in resolution (2001-06-25/R-6), resolved that the Carrboro Board of Aldermen consider conveying one or both lots to Habitat for Humanity, Orange County;

WHEREAS, the Town of Chapel Hill in resolution (2001-06-25/R-6), resolved to authorize their Town Manager to provide a sewer easement along the Town's property line as requested by the Town of Carrboro in a letter dated May 29, 2001 to the extent necessary, with the specific location to be determined by the Manager.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Oakwood Conditional Use Permit Modification is hereby approved;

BE IT FURTHER RESOLVED by the Carrboro Board of Aldermen that the Board authorizes the Carrboro Town Manager to work with the Town of Chapel Hill to:

1. Execute the performance agreement as presented herein and formulated in keeping with the Town of Chapel Hill's resolution (2001-06-25/R-6) adopted by the Town of Chapel Hill Town Council on June 25, 2001;
2. Initiate procedures necessary to subdivide property owned by the Town of Chapel Hill referred to as the Oakwood public housing property (Tax Map reference 7.97.B.21B) in keeping with the CUP modification approved per this resolution;
3. Prepare a deed necessary for the transfer of the title of the lot proposed for conveyance by the Town of Chapel Hill to the Town of Carrboro;
4. Authorize the Town Manager to quitclaim the deed gap between the Oakwood property and Carrboro's property (Tax Map reference 7.94.A.16A).

BE IT FURTHER RESOLVED that the Town Manager is authorized to execute documents for the granting of a sewer easement to OWASA across Carrboro's recombined Crest Street property as proposed by the CUP Modification to serve a lot owned by the Community Land Trust at 101 Crest Street.

BE IT FURTHER RESOLVED that the land use permit fee for this CUP modification and for the final plat approval are waved in keeping with the town's fee waiver policy.

THE CHAPEL HILL HOUSING AUTHORITY

317 CALDWELL STREET EXTENSION
CHAPEL HILL, N.C. 27514 - TELEPHONE 968-4556

MAR 5 1982

ATTACHMENT "C"

ALVIN E. STEVENSON
EXECUTIVE DIRECTOR

C-1

March 5, 1982

Mr. Richard Hunter, Town Manager
Town of Carrboro
Carrboro Town Hall
Carrboro, North Carolina 27510

Dear Mr. Hunter:

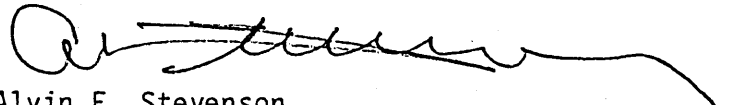
Under cover of this letter, the Authority is pleased to submit an application for a Conditional Use Permit for the development of a thirty unit apartment complex, off 612 North Greensboro Street. Enclosed are ten site plans, stamped envelopes which have been addressed to each property owner within a 150' radius, the application form and letters from utility companies and the Orange County Erosion Control Office.

For the purposes of this application, the Authority has calculated square footage of land area with the assumption that the front 1.76 acres off Greensboro Street, as well as one .23 acre lot near Hillview Street, have been subdivided out of the total 6.64 acre tract. Thus, though the Authority will construct the proposed Oak Avenue Extension on the front portion, that land is not included under the Conditional Use Permit. The actual subdivision of the parcel will take place at a later stage,

The Authority's staff and its architects have studied the Carrboro Zoning Ordinance very carefully, and consulted with the Planning staff on a regular basis. The development is designed in total accord with your Ordinance, and no variances are being requested.

With warmest and best regards, I am,

Sincerely yours,



Alvin E. Stevenson
Executive Director

AES:snj

Enclosure(s)

C-2

MAR 5 1982

APPLICATION FOR LAND USE PERMIT

Date March 5, 1982Permit Requested Conditional UseApplicant Chapel Hill Housing AuthorityProperty Owner Southside Land Company317 Caldwell St. ExtensionRoute 1, Box 149-6Address Chapel Hill, NC 27514

Address

Pittsboro, NC 27312Telephone (919) 968-4556

Telephone

(919) 942-8771Legal relationship of Applicant to Property Owner Option holder - Co-applicantPurpose of Permit construction of thirty (30) apartment units

Note: (1) If Variance Request also, complete Attachment B.

(2) If Appeal of Decision of Land Use Administrator also, complete Attachment C.

Property Location 612 North Greensboro Street, Carrboro, NC 27510

Street Address

Tax Map 97Block BLot 21Zoning District R 7.5Lot Size 194,227.6 square feetAPPROX. 4.46 ACRESGross Floor Area* of Existing & Proposed Buildings: not applicable square feet

*Gross Floor Area. The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Existing

27,700

Proposed (Additions) square feet

If multi-family use, list number of 1, 2, 3, or 4 bedroom units proposed:

1 bedroom 2 bedroom 203 bedroom 104 bedroom Total square footage of land to be disturbed 126,280 square feet.

Jerome M. Levit
Jerome M. Levit, Secretary
Southside Land Company

[Signature]
Signature of Applicant



TOWN OF CARRBORO ATTACHMENT "D"

NORTH CAROLINA

D-1

May 29, 2001

Mayor Rosemary Waldorf
Town of Chapel Hill
306 Columbia Street
Chapel Hill: NC 27516

Dear Mayor Waldorf:

I am writing to ask the Chapel Hill Town Council to work with Carrboro to resolve an easement issue that is negatively impacting affordable housing.

The Town of Carrboro recently considered a request from Habitat for Humanity for a 30-foot wide easement across property that is owned by Carrboro at the end of Crest Street and adjacent to land owned by the Chapel Hill Housing Authority. The Town's analysis of this request clearly showed that the easement would, for all practical purposes, render Carrboro's lot unusable for housing.

We are deeply interested in providing more affordable housing for our community, as are you, and would like to avoid creating an undevelopable lot simply to accommodate a water/sewer easement.

In the interest of creating more affordable housing, the Carrboro Board of Aldermen asked that I contact you to ask the Town of Chapel Hill to work with us share an easement along our property line OR to combine our lots and re-subdivide to provide additional housing opportunities. Our preference is to share the easement along the property lines as this seems the easiest, quickest, and least complicated approach.

Please ask your staff to work with ours to arrive at a mutually beneficial solution. For your review, I have enclosed a map that shows where a shared easement might be located.

Finally, I should note that Carrboro will be working with a local non-profit housing agency to develop our tract for affordable housing pending the positive resolution of this easement request.

D-2

This matter is of some urgency as Habitat has a family waiting to move into the home that would be served by said easement. We would be forever grateful if you could get this on your agenda and work with us to find a solution as quickly as possible.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael".

Michael Nelson, Mayor
Town of Carrboro

Cc: Susan Levy
Robert Morgan
Cal Horton
Robert Dowling

**A RESOLUTION AUTHORIZING THE MANAGER TO INITIATE
PROCEDURES FOR CONVEYING TWO LOTS ON CREST DRIVE TO THE
TOWN OF CARRBORO (2001-06-25/R-6)**

WHEREAS, the Council received a petition from Habitat for Humanity to build a house on Town-owned property located on Crest Street in Carrboro (a portion of Tax Map # 7.97.B.21B); and

WHEREAS, the Council received a petition from the Town of Carrboro requesting that the Town either share an easement with the Town or consider combining two properties off Crest Street;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Manager to initiate procedures for conveying a portion of lot 7.97.B.21B to the Town of Carrboro pursuant to the provisions of G.S. 160A-274.

BE IT FURTHER RESOLVED that the conveyance of land to the Town of Carrboro would be contingent on a performance agreement with the Town of Carrboro and the following specific items:

1. The creation of two new lots would not adversely impact the terms of the Town's Conditional Use Permit for the Oakwood public housing;
2. The Town of Carrboro would prepare a modification to the Town's Conditional Use Permit to subdivide the property;
3. The lots would be donated for affordable housing purposes;
4. The Town of Carrboro would strongly consider placing the properties in the Land Trust;
5. The U.S. Department of Housing and Urban Development would approve the changes in the land area of the property owned by the Town; and
6. The Town of Carrboro would assume all closing costs for the conveyance of the properties.

BE IT FURTHER RESOLVED that the Council recommends that the Carrboro Board of Aldermen consider conveying one or both lots to Habitat for Humanity, Orange County.

BE IT FURTHER RESOLVED that the Council authorizes the Town Manager to provide a sewer easement along the Town's property line as requested by the Town of Carrboro in a letter dated May 29, 2001 to the extent necessary, with the specific location to be determined by the Manager.

This the 25th day of June, 2001.

THE TOWN OF CARRBORO

CONDITIONAL USE PERMIT GRANTED

F-1

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 Chapel Hill Housing Authority

Property Location 614 North Greensboro Street
Street Address

Tax Map 97 Block 3 Lot 218 Zone R-7.5

Proposed Use of Property To allow construction of 30 apartment units

Meeting Date(s) March 23, 1983

June 3, 1983

PIN 4774-88-395-9
Assigned to: 7.97.6.216
CLP.C. 248

Having heard all the evidence and argument 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 Code 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 Code and the following conditions:

- 1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board. More specifically, the development shall be completed in accordance with those plans, dated March 5, 1982, approved by the Board at its meeting on March 23, 1982, except for those portions of these plans dealing with the description of buildings ("building elevations"). The buildings that are approved are those buildings shown on the plans dated June 7, 1983 and approved by the Board at its meeting of June 8, 1983.
- 2) The applicant shall install a traffic island at the existing northern end of Oak Avenue with its intersection with North Greensboro Street pursuant to the approval of the Public Works Director.
- 3) This permit expires automatically on July 15, 1983 unless extended by the Board of Aldermen.
- 4) 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.

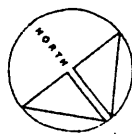
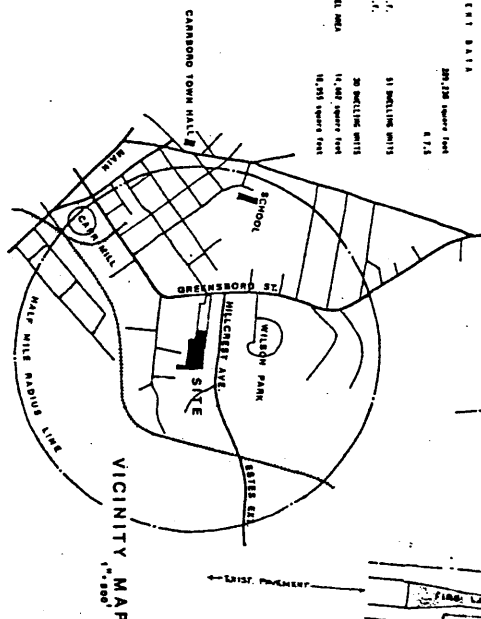
If this permit authorizes development on a tract of land in excess of one acre, nothing authorized by the permit may be done until the property owner properly executes and returns to the Town of Carrboro the attached acknowledgment of the issuance of this permit so that the town may have it recorded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

LEGEND

[illegible]

SITE PLAN

DEVELOPMENT DATA	
PROJECT, AREA: 0.34 ACRES	200,000 square feet
POOR	11.5%
ALLOCATION, No. of dwelling units	51 dwelling units
LAND WITH 200,000 S.F.	20 dwelling units
LAND WITH 1,000,000 S.F.	100 dwelling units
APPROXIMATE No. of dwelling units	10,000 square feet
APPROXIMATE No. of dwelling units	10,000 square feet



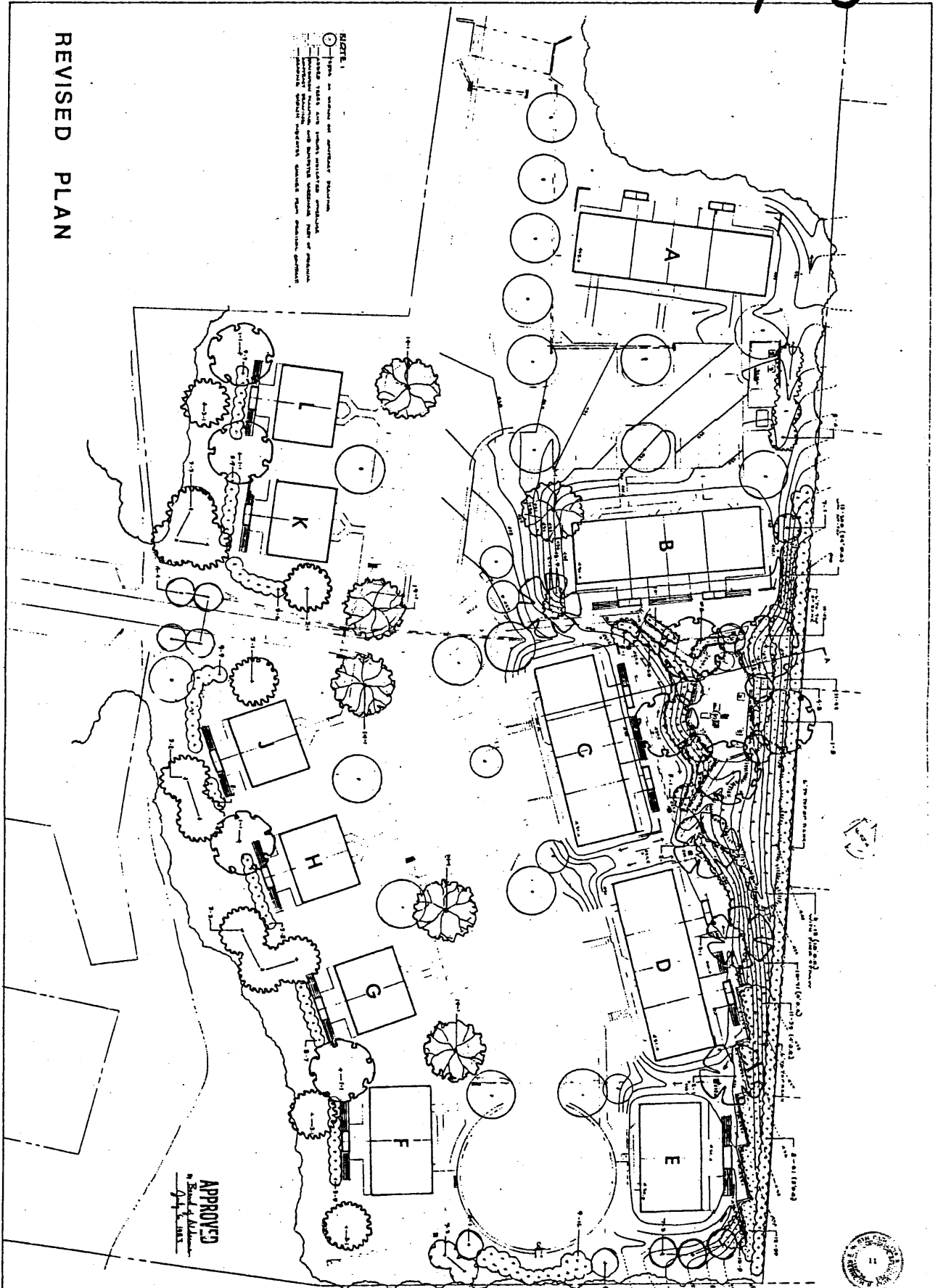
GARY GILES, A.I.A.; JOSH GURLITZ
REGISTERED ARCHITECTS
204 W. BOEMARY ST. CHASE HILL, N.C.

OAKWOOD APARTMENTS
CHAPEL HILL HOUSING AUTHORITY

F-3

REVISED PLAN

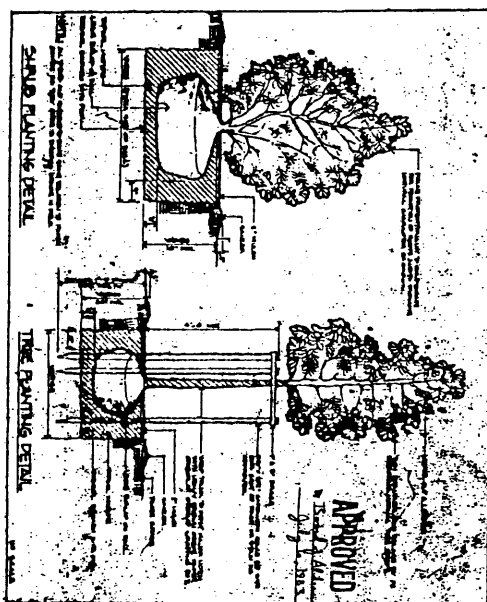
NOTES:
 1. All trees are shown in landscape plan.
 2. All trees are shown in landscape plan.
 3. All trees are shown in landscape plan.
 4. All trees are shown in landscape plan.
 5. All trees are shown in landscape plan.



APPROVED
 [Signature]
 [Date]

[illegible]

PLANT LIST		COMMON NAME		HT.	FRY.	MOO.	SEASON
1	ST. BRICKS	1	1	1	1	1	1
2	ORANGE PRINCE	1	1	1	1	1	1
3	ST. BRICKS	1	1	1	1	1	1
4	ST. BRICKS	1	1	1	1	1	1
5	ST. BRICKS	1	1	1	1	1	1
6	ST. BRICKS	1	1	1	1	1	1
7	ST. BRICKS	1	1	1	1	1	1
8	ST. BRICKS	1	1	1	1	1	1
9	ST. BRICKS	1	1	1	1	1	1
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14	ST. BRICKS	1	1	1	1	1	1
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58	ST. BRICKS	1	1	1	1	1	1
59	ST. BRICKS	1	1	1	1	1	1
60	ST. BR						



coulter associates
LANDSCAPE ARCHITECTS • LAND PLANNERS
18 WEST MAIN ST., RD. BOX 812, DURNHAM, NORTH CAROLINA 27702

from:
site & landscape plan
gary gilles ; josh guriltz
APRIL 1982

EXHIBIT A

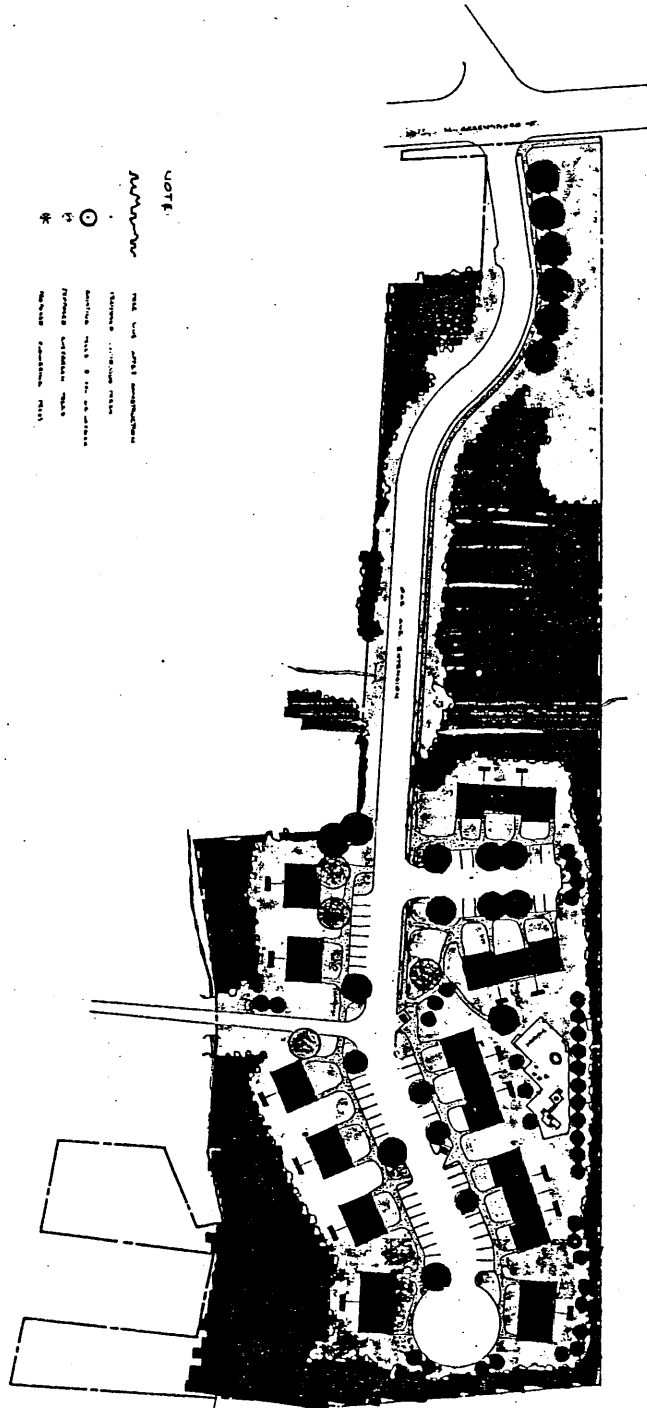


EXHIBIT 99999999
TOD. OF MODERATION
7/6/93

GARY GILES, JOSH GURLITZ
registered architects
214 West Rosamary St. Chapel Hill, N.C.

OAKWOOD APARTMENTS
CHAPEL HILL HOUSING AUTHORITY

coulter associates
LANDSCAPE ARCHITECTS • LAND PLANNERS
111 WEST MAIN ST. P.O. BOX 1172, DURHAM, NORTH CAROLINA 27701

G-1

ATTACHMENT G

NORTH CAROLINA
ORANGE COUNTY

2002-2003
PERFORMANCE AGREEMENT

THIS AGREEMENT, made and entered into the ____ day of _____, 2002 by and between the TOWN OF CHAPEL HILL, a North Carolina Municipal Corporation, 306 North Columbia Street, Chapel Hill, North Carolina, hereinafter referred to as "Chapel Hill" and THE TOWN OF CARRBORO, 301 West Main Street, Carrboro, North Carolina 27510, hereinafter referred to as "Carrboro".

WITNESSETH

WHEREAS, the Chapel Hill Town Council received a petition from Habitat for Humanity to build a house on Town owned property located on Crest Street in Carrboro (a portion of Tax Map #7.97.B-21B);

WHEREAS, the Chapel Hill Town Council received a petition from Carrboro requesting that Chapel Hill either share an easement with Carrboro or consider combining two properties off Crest Street to create additional affordable housing opportunities;

NOW THEREFORE, in consideration of the above and mutual covenants and conditions hereinafter set forth, Chapel Hill and Carrboro agree as follows:

1. Conveyance of Land

By resolution 2001-06-25/R-6 the Chapel Hill Town Council authorized the Chapel Hill Manager to initiate procedures to convey a portion of lot 7.97.B.21B to Carrboro. Carrboro affirms that creation of new lots according to the attached plat dated _____ does not adversely impact the terms of Chapel Hill's Conditional Use Permit for the Oakwood public housing development. Carrboro will prepare a modification to Chapel Hill's Conditional Use Permit to subdivide the property at Carrboro's cost, and will waive development application fees.

Carrboro agrees to provide a sewer easement to OWASA to serve property owned by the Community Land Trust in Orange County located at 101 Crest Street as proposed by the approved CUP Modification.

Chapel Hill will provide a sewer easement along Chapel Hill's property line with the specific location to be determined by the Chapel Hill Town Manager, if needed.

2. Terms

Carrboro agrees to use this property for affordable housing purposes. Carrboro will donate the property for affordable housing purposes and will consider placing the properties in the Land Trust or conveying the lots to Habitat for Humanity. Carrboro will assume all closing costs for the conveyance of the properties. Transfer of the property is contingent upon approval by HUD of disposition of the property.

3. Termination for Convenience

Either party may terminate this Agreement at any time by giving written notice to the other party of such termination and specifying the effective date thereof at least 30 days before the effective date of such termination. In the event of any termination for convenience, all unfinished documents, data, reports or other materials prepared by Carrboro under this Agreement shall, at the option of Chapel Hill, become the property of Chapel Hill.

4. Severability

If any provision of this Agreement is held invalid, the remainder of the Agreement shall not be affected thereby and all other parts of this Agreement shall nevertheless be in full force and effect.

IN WITNESS WHEREOF, the parties hereunto cause this Agreement to be executed in their respective names.

This the ____ day of _____, 2002.

TOWN OF CARRBORO
A Municipal Corporation

BY: _____

Attest: _____
Town Clerk (Seal)

Approved as to form: _____
Town Attorney

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal and Control Act.

Town Finance Director

Planning Director

G-3

TOWN OF CHAPEL HILL
A Municipal Corporation

BY: _____
Town Manager

Attest: _____
Town Clerk (Seal)

Approved as to form: _____
Town Attorney

This instrument has been preaudited in the manner required by the Local Government
Budget and Fiscal and Control Act.

Town Finance Director

Planning Director