

P18-33F

September 4, 2018

City of Fayetteville
Office of Planning and Code Enforcement
Attention: Planning and Zoning
433 Hay Street
Fayetteville, North Carolina 28301

Re: Conditional Rezoning Application for 1053 71st School Rd, Fayetteville,
North Carolina 28314

Dear Zoning Commission:

The undersigned submit the enclosed Conditional Rezoning Application Form and accompanying exhibits as our formal request to conditionally rezone 1053 71st School Rd from residential to commercial use.

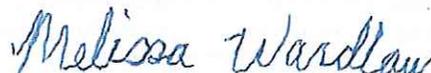
This packet of materials includes:

- The completed Conditional Rezoning Application Form
- Exhibit 1 – Summary of the Conditional Rezoning Request
- Exhibit 2 – View 1 (photo) of 1053 71st School Rd
- Exhibit 3 – View 2 (photo) of 1053 71st School Rd
- Exhibit 4 – Overhead photo of 1053 71st School Rd (Google Maps)
- Exhibit 5 – Cumberland County GIS Data View of 1053 71st School Rd
- Exhibit 6 – Cumberland County Tax Record – Property Information Mini-Sheet
- Exhibit 7 – North Carolina General Warranty Deed (Cumberland County NC Deed Book 10054, Page 0290)

We completed a pre-application conference call with Mr. Craig Harmon on August 31, 2018 and updated our application per his instructions. We will pay the \$700.00 application fee via credit card over the telephone. Please contact us if you have questions or need additional information.

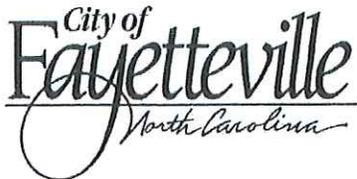
Sincerely,


Vincent O. Wardlaw


Melissa L. Wardlaw

Current address: 2705 Strongs Court, Crofton, Maryland 21114
Home phone: (410) 451-1971
Cell phone for Vincent: (703) 899-7505
Cell phone for Melissa: (859) 905-8628

P18-33F



Conditional Rezoning Application Form

433 Hay Street, Fayetteville, North Carolina 28301
910-433-1612 Fax# 910-433-1776

Submittal Date: 09/04/2018 Approval/Denial Date: _____
Fee: \$700.00 Received By: CH

- Notes:**
1. A pre-application conference is mandatory prior to submission of an application for a conditional rezoning.
 2. Conditional rezonings proposing re-classification from a Conservation (CD) zoning district to a conditional MR-5, OI, NC, LC, CC, MU, DT, LI, or HI zoning district require a neighborhood meeting before an application is submitted.
 3. Conditional rezonings proposing reclassification of three acres of land or less from one residential or business zoning district to another more intense residential or business zoning district require a neighborhood meeting before an application is submitted.
 4. Only the landowner may submit a conditional rezoning application.
 5. Conditions proposed by an applicant shall be included as text, maps, or plans, and shall be submitted with this application form. All conditions must be mutually agreeable by the applicant and the City Council.
 6. Proposed conditions may not be less restrictive than the corresponding base zoning district standards.
 7. Concurrent submittal of a site plan application (for review by the TRC) that depicts the proposed development is required, and the development depicted in the site plan must remain consistent with the conditional rezoning designation (though minor deviations are allowed).

1. General Project Information

Project Address:	1053 Seventy First School Road, Fayetteville, NC 28314-2804		
Tax Parcel Identification Number:	9497-64-6544		
Project Name:	Former Site of Wardlaw's Transmission Repair and Service		
Current Zoning District:	MR5	Proposed Conditional Zoning District:	Community Commercial
Lot or Site Acreage:	1.01	Was a neighborhood meeting conducted?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Date: _____
Number of residential units:	1	Amount of nonresidential square footage:	_____

2. Landowner Information

Landowner name:	Vincent O. and Melissa L. Wardlaw		
As evidenced by deed, recorded in Deed Book	10054	Page	0290 Cumberland County Registry.

3. Written Description of Request – Answer all the questions under this section (Attach additional sheets as needed)

A) Describe the proposed use of the rezoned land, including the proposed types of site improvements, buildings, uses, proposed activities, hours of operation, and operating characteristics.

1053 71st School Road is the former site of Wardlaw's Transmission Repair and Service (Wardlaw's Transmissions), a commercial property that operated from 1982 to 2015, closing upon the owner's retirement. On March 13, 2017, Vincent O. Wardlaw and Melissa L. Wardlaw purchased the property from the owner, Louie E. Wardlaw. Pursuant to a rezoning decision in 2007, the property was changed from commercial to residential use with Wardlaw's Transmissions allowed to continue operating commercially in a "legal nonconforming use of the property." Based on the 2007 rezoning decision, the property converted from commercial to residential use upon the sale and deed transfer from Louie Wardlaw to Vincent and Melissa Wardlaw. The property is not suitable for residential use and, as current owners, we wish to sell the property to an interested commercial business. There are at least two commercial businesses directly across the street zoned as HI - heavy industrial. The commercial business that wishes to acquire 1053 71st School Road will upgrade the property by paving the parking lot, upgrading the fencing, and making aesthetic improvements to the building (i.e. painting, light fixtures, light landscaping, etc.).

B) Describe the proposed conditions that should be applied.

The property is currently MR-5, residential. We wish to conditionally rezone the property to commercial use with the specific designation at the discretion of the Cumberland County Zoning Office. The commercial business that wishes to acquire 1053 71st School Road will operate a business office in the building, park commercial vehicles on site, and dispatch workers and vehicles based on customer requests. This is not a retail business and will not receive customers at the site.

C) Please describe the zoning district designation and existing uses of lands adjacent to and across the street from the subject site

The adjacent property directly to the north is Unity Chapel at Cliffdale (MR-5). The adjacent property directly to the south is InSoul Fellowship Church (MR-5). The property directly across the street (to the west) is Cardinal Landscaping (HI). The property diagonally across the street (to the northwest) is Sandhills Portable Storage (HI). The property diagonally across the street (to the southwest) is Fayetteville Fire Station #8.

4. Amendment Justification – Answer all the questions under this section. (Attach additional sheets as needed)

A) The extent to which the proposed amendment is consistent with the comprehensive plan and all other applicable long-range planning documents.

1053 71st School Road is across the street from a cluster of properties designated HI in the 2010 Cumberland County Land Use Plan. The HI zoning cluster of properties remains in effect in the 2010 land use plan. Allowing this property to be zoned commercial while operating directly across the street from Heavy Industrial businesses seems fair and consistent.

B) Are there changed conditions that require an amendment?

As indicated above, Wardlaw's Transmissions operated as a commercial property from 1982 until November 2015. From November 2015 to May 2018, Vincent and Melissa Wardlaw incrementally cleared the property of all vehicles, equipment, supplies, and products in preparation for being placed on the commercial market. After consulting with several real estate professionals, it became obvious that the property has no legitimate residential use. It was built from the ground up as a commercial property and may only be converted to residential use after razing the shop building and removing the concrete apron. The only thing that has changed since 1982 is Cumberland County's zoning decision to convert the property from commercial to residential. We are simply requesting conditional rezoning back to the previous state. Wardlaw's Transmissions operated peacefully and without disruption to the neighborhood for more than 33 years and, from our perspective, another commercial business would operate in the same manner. As owners, we would negotiate, as a condition of sale, that the new owners commit to upgrading the property both aesthetically and functionally (fencing, paved parking lot, light fixtures, light landscaping, painting).

C) The extent to which the proposed amendment addresses a demonstrated community need.

The Commercial Development section of the Cumberland County 2010 Land Use Plan states: "During the Community Outreach Process, the County residents identified the following issues that should be addressed by the Commercial Plan." The first item among the issues to be addressed is identified as: "1. Broader range of commercial facilities." An additional excerpt from the Commercial Development section reads as follows: "The Community Outreach Process fostered an overall goal for commercial development in the County, which is stated as follows: The overall goal for Commercial development is to provide a "market driven," socially and environmentally sensitive, flexible, convenient, and healthy atmosphere for new, relocating, and expanding commercial activities that meet the present and future needs of Cumberland County residents." Among the objectives listed in the plan to achieve this goal is: "Create a commercial atmosphere that fosters small business and business start-ups." The commercial business that wishes to acquire the property is a family-owned small business with an impeccable reputation. In summary: granting conditional rezoning to a commercial property for 1053 71st School Rd is consistent with the needs of the greater Cumberland County community as stated in 2010 Land Use Plan and will address a demonstrated need.

D) The extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and why it is the appropriate zoning district for the land.

As emphasized in sections 4A and 4B above, Wardlaw's Transmissions operated as a commercial property for more than 33 years providing an important service to the community. In fact, Louie Wardlaw, then owner of Wardlaw's Transmissions and 6 acres of adjoining unimproved land, sold the 6 acres to InSoul Church so they could build a sanctuary and parking lot for their congregates. The fact that commercial businesses zoned as Heavy Industrial continue to operate directly across the road makes the continued use of the property as a commercial use compatible with the existing land and proposed uses.

E) The extent to which the proposed amendment results in a logical and orderly development pattern.

Based on the owner's observations, traffic on 71st School Rd is busy during morning and afternoon rush hour and light to moderate the rest of the day except when the adjacent churches hold services. Because commercial traffic already exists from the businesses across the street, we not believe the reestablishment of a commercial business at 1053 School Rd will have an adverse impact on local traffic.

F) The extent to which the proposed amendment might encourage premature development.

Premature development is not applicable as nearly all of the space on both the east and west sides of 71st School Rd from Old Bunce Rd to Cliffdale Rd is occupied with residences, churches, or commercial businesses.

G) The extent to which the proposed amendment results in strip-style commercial development.

Not applicable as there are no strip-style businesses on 71st School Rd between Old Bunce Rd and Cliffdale Rd and very little vacant land left to develop them.

H) The extent to which the proposed amendment results in the creation of an isolated zoning district unrelated to adjacent and surrounding zoning districts.

If Cumberland County grants this conditional rezoning request, 1053 71st School Rd will indeed be the only commercial operation on the east side of 71st School Rd between Old Bunce Rd and the businesses along Cliffdale Rd (a distance of approximately 3/4 of a mile). However, because the cluster of commercial businesses operating on the west side of 71st School Rd will continue operation, along with the fact that a commercial business operated at this address for over 33 years, it is our opinion that this does not constitute an isolated zoning district.

I) The extent to which the proposed amendment results in significant adverse impacts on the property values of surrounding lands.

The adjacent properties on the east side of 71st School Rd are InSoul Church, Austin Creek Apartments (a multi-level complex), Unity Chapel at Cliffdale, and Kingdom Hall of Jehovah's Witnesses. We (the owners) estimate that the planned upgrades to 1053 71st School Rd by the acquiring commercial business will have a net neutral to positive impact on these properties.

J) The extent to which the proposed amendment results in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

Since Wardlaw's Transmission closed, we have cleared the property of all equipment, tools, solvents, oil drums, parts, and cars. If conditional rezoning is granted, the planned improvements by the commercial business that will acquire the property will have a positive environmental impact. These improvements include paving the parking lot and adding landscaping. Additionally, the new owners have no plans to clear additional trees or adjust the footprint of the work area of the property. The nature of their business does not involve environmental hazards.

5. Submittal Requirement Checklist

(Submittals should include 2 copies of listed items, unless otherwise stated.)

<input type="checkbox"/>	Pre-application conference completed
<input type="checkbox"/>	Neighborhood meeting description, if applicable
<input type="checkbox"/>	Copy of an approved Certificate of Appropriateness (COA) if located within the HLO district
<input type="checkbox"/>	Site Plan Application Form
<input type="checkbox"/>	Rezoning Application Fee
<input type="checkbox"/>	Site Plan Application Fee
<input type="checkbox"/>	Scaled drawing and vicinity map showing boundaries of property, the general location in relation to major streets, railroad, and /or waterways
<input type="checkbox"/>	Property survey showing existing easements, reservations, and public rights-of-way
<input type="checkbox"/>	A site plan completed in accordance with the Site Plan Application checklist in this Manual
<input type="checkbox"/>	Building elevations, if rezoning involves new construction or changes to an existing building
<input type="checkbox"/>	Transportation analysis, if required
<input type="checkbox"/>	A phasing plan, if proposed

6. Primary Contact Information

Primary Point of Contact Name: Vincent O. Wardlaw	
Mailing Address: 2705 Strongs Court	Fax No.: 410-451-1971
Phone No.: 410-451-1971	Email: bwardlaw@thewardlawgroup.com
Signature: <i>Vincent O. Wardlaw</i>	Date: September 4, 2018

7. Property Owner Information *(if different from the primary point of contact)*

Property Owner Contact Name: Vincent O. and Melissa L. Wardlaw	
Mailing Address: 2705 Strongs Court	Fax No.: 410-451-1971
Phone No.: 410-451-1971	Email: bwardlaw@thewardlawgroup.com
Property Owner or Authorized Signature: <i>Vincent O. Wardlaw Melissa Wardlaw</i>	Date Signed: September 4, 2018

An application for a Map Amendment must address the following issues:

Consistency with adopted plans, changed conditions requiring amendment, community need, compatibility with existing and proposed uses and zoning, logical development pattern, strip development, unneeded development, spot zoning, property value, environmental concerns, compatibility of permissible uses and exiting uses.

**Summary of the Conditional Rezoning Request for
1053 71st School Rd, Fayetteville, North Carolina 28314**

Request: We, Vincent O. and Melissa L. Wardlaw, current owners and petitioners, request conditional rezoning of 1053 71st School Rd from residential to commercial use.

Basis of the request: 1053 71st School Rd is the site of the former Wardlaw's Transmission Repair and Service (Wardlaw's Transmissions), which operated from 1982 – 2015 as a commercial business. Due to a unilateral Rezoning decision by Cumberland County in 2007, the property was converted to residential use with Wardlaw's Transmission allowed to continue operation in a "legal non-conforming use" as an automotive repair facility. The conditions of the legal nonconforming use included restrictions such as:

- 1) the automotive repair facility (Wardlaw's Transmissions) could continue to operate under current ownership (Louie E. Wardlaw);
- 2) if the property changed hands (sold, inherited, etc.), the legal non-conforming use could continue as long as the new owner(s) operated an automotive repair facility (no other commercial type operation was authorized);
- 3) if a significant period of time elapsed after the closing of Wardlaw's Transmission (generally described as 1 year by the Cumberland County Tax Assessor's staff) the property automatically converts to residential use only and no other commercial operation would be permitted.

Louie Wardlaw closed operations in November 2015. He was too ill to continue operations, no family members resided in Fayetteville and were not available to take over operations, and no commercial businesses expressed interest in taking over operations under the restrictions of the legal nonconforming use. As a result of these above factors, there was no business activity at Wardlaw's Transmissions between November 2015 and March 2018. During this period, Louie Wardlaw's family cleared the property including salvaging the vehicles on site, selling tools and equipment, disposing of leftover products, and general cleanup – all in anticipation of putting the property up for sale.

After speaking with several potential buyers and realizing that there was little to no interest because of the zoning restrictions, we (Vincent and Melissa Wardlaw) decided to purchase the property from Louie Wardlaw in order to facilitate the eventual sale on the commercial market. The sale took place on March 13, 2018. Since the sale, we submitted a Request for Review to have the tax value reappraised from commercial to residential property

(in compliance with Residential Zoning rules). The reason for the Request for Review is that the property was unilaterally rezoned as residential and we were being taxed at the commercial rate. That review was successful and the property is now taxed as a residential property. Since acquiring the property, we spoke with several potential buyers and all expressed interest in using the property for commercial purposes; none were interested in residential use. We also spoke with the Tax and Zoning Offices about the range of allowed uses of the property based on Residential Zoning rules and additionally spoke with several real estate professionals that collectively explained the challenges of selling the property "as is" for residential use.

As a result of our due diligence we have come to the understanding that continued use as a commercial property is the best potential use for 1053 71st School Rd. We believe the conditional rezoning would not place any undue burden on the surrounding community and would result in a net increase in business and tax revenue for the City of Fayetteville/Cumberland County. Additionally, we recently received a contingent offer from a family-owned, small business that wishes to purchase the property for commercial use if conditional rezoning is granted. The prospective buyers have given us permission to convey that they will make improvements to the property including paving the lot, upgrading fencing and making aesthetic improvements to the building (including painting, light fixtures, and light landscaping).

Specific Rezoning Conditions Requested: As petitioners, we request the following:

- Granting of Conditional Rezoning of 1053 71st School Rd from Residential to Commercial use with the specific legal zoning designation and conditions specified by the City of Fayetteville and/or Cumberland County as appropriate.
- In the event of a sale of the property, we request the City of Fayetteville/Cumberland County grant permission for the Conditional Rezoning to transfer to the new owners.
- Upon granting of Conditional Rezoning, we would expeditiously file a Request for Review to have the tax value reappraised from Residential to Commercial.

Summary: The commercial business that wishes to acquire 1053 71st School Road will operate a business office in the building, park commercial vehicles on site, and dispatch workers and vehicles based on customer requests. This is not a point-of-sale business and will not receive customers at the site. In our estimate, granting this request will have a net neutral to positive impact on the surrounding community and a net positive impact on the greater Fayetteville community.

1053 71st School Rd - View 1

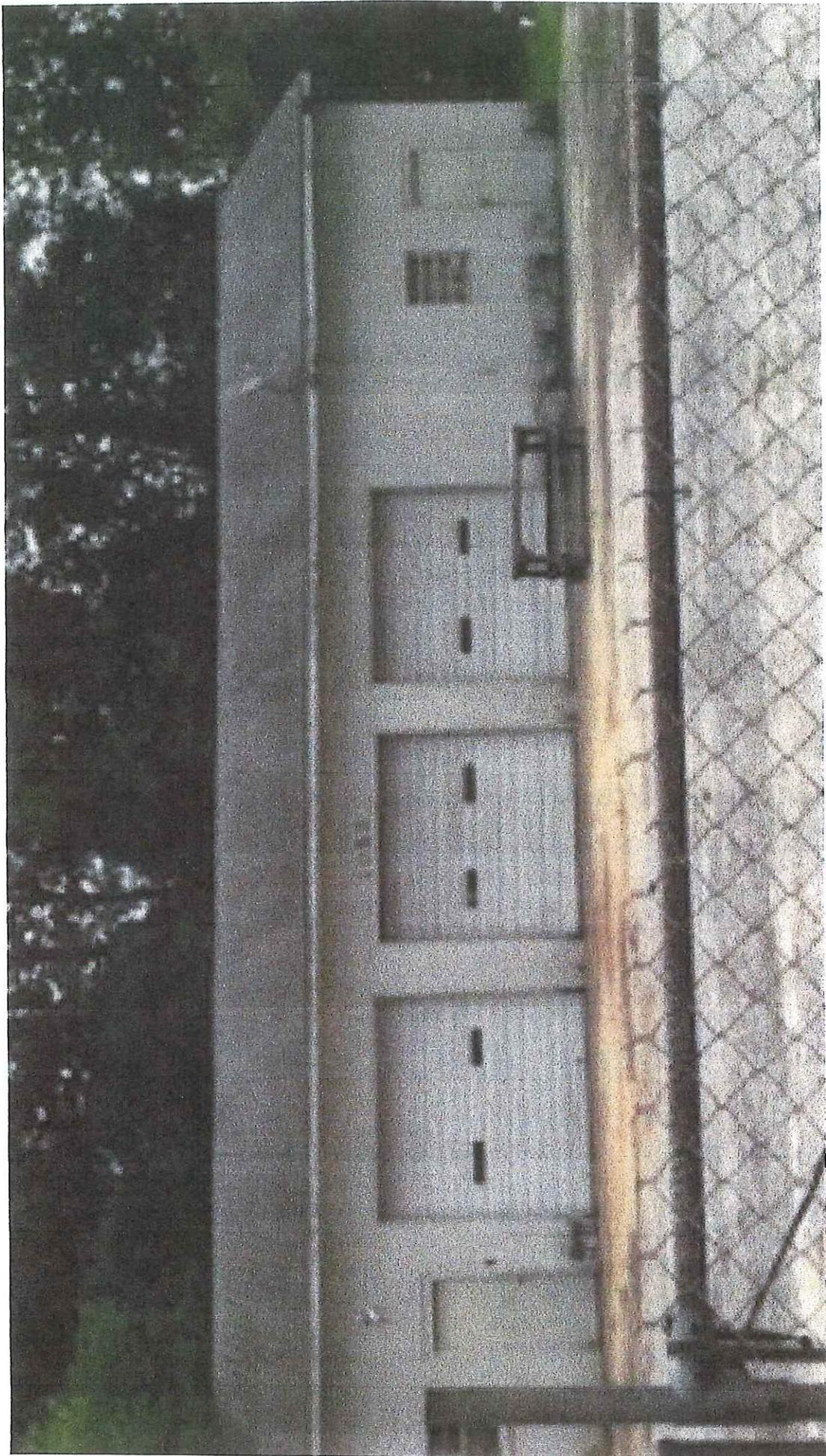


Exhibit 2

Exhibit 2

1053 71st School Rd - View 2



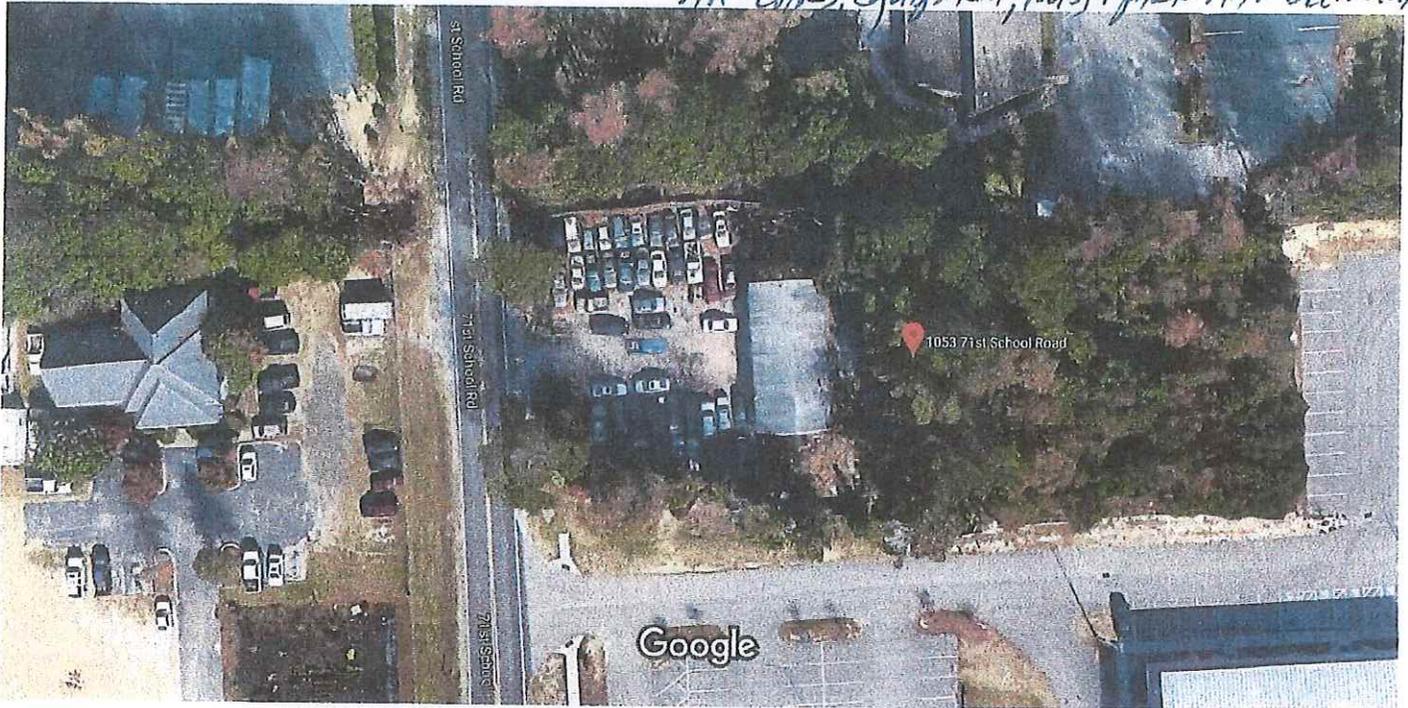
Exhibit 3

Exhibit 3

Exhibit 4

Google Maps 1053 71st School Rd

Image is approximately 3 years old.
All cars, equipment, tools, & parts have been cleared.



Imagery ©2018 Google, Map data ©2018 Google 20 ft



1053 71st School Rd
Fayetteville, NC 28314



Exhibit 4



▼ 1053 71st School Rd, Faye X 🔍

Show search results for 1053 7...

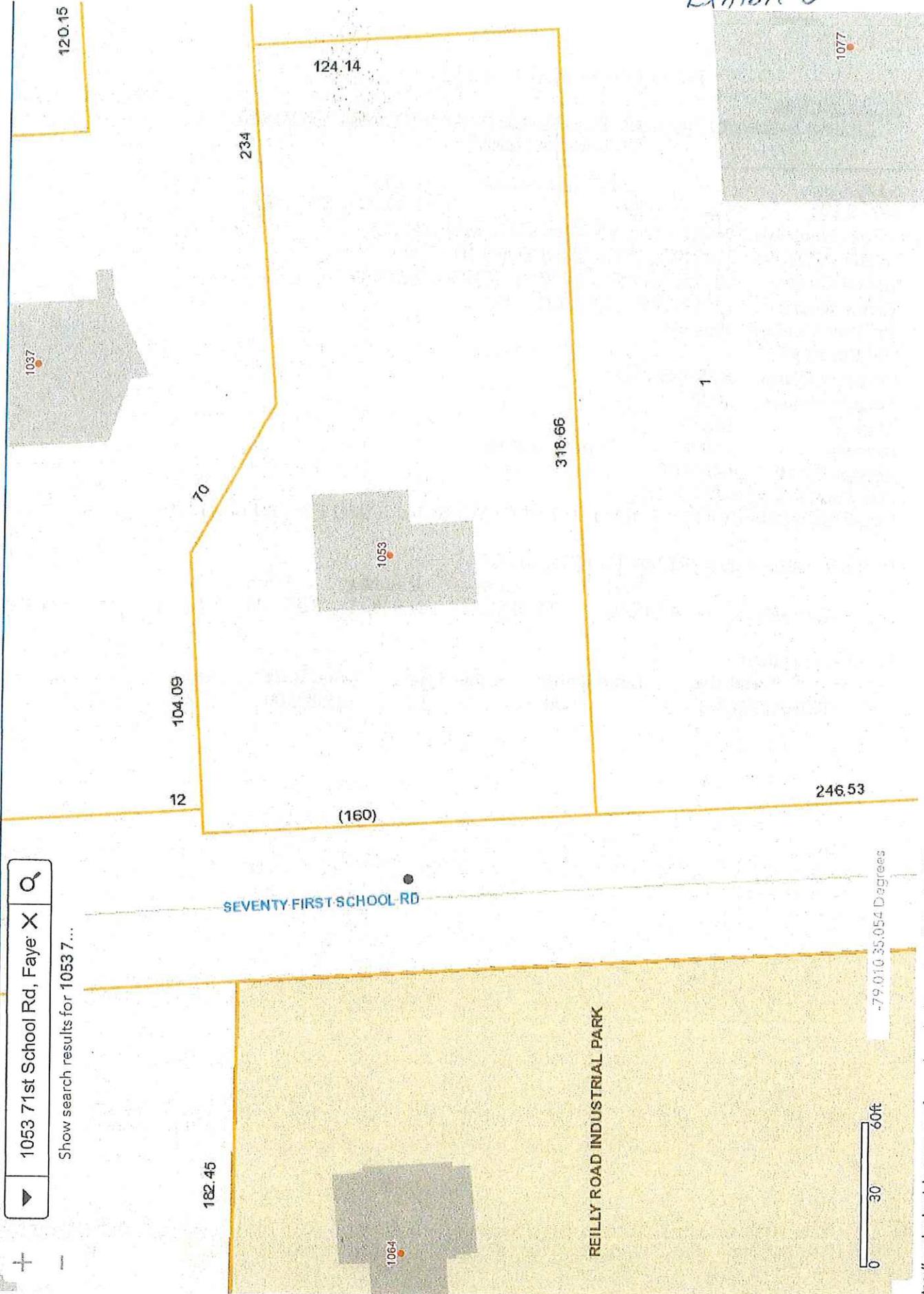


Exhibit 5

Exhibit 5

[EMAIL](#)

Property Information Mini-Sheet

[Click for Tax Sheet](#)

[Tax Rate](#) | [Tax Records](#) | [General Info](#) | [Phone Numbers](#) | [Real Estate](#) | [Personal](#) | [GIS Mapping](#) | [Electronic Pmts](#) | [County](#) |

Date: 08/05/2018

COUNTY OF CUMBERLAND Tax Year: 2018

Parcel ID: 9497-64-6544- TaxYear: 2018

Owner Name(s): WARDLAW, VINCENT O & MELISSA L

Owner Address: 2705 STRONGS CROFTON MD 21114

Situs Address: 001053 SEVENTY FIRST SCHOOL RD FAY

Taxing District: 1000 FAYETTEVILLE

Tax Bill Number: 7969304

Old Parcel ID:

Property Class: RESIDENTIAL

Neighborhood: 4020

Zoning: MR5 -

Frontage: 160.00 Depth: 318.66

Map & Sheet: 9497-15

Plat Book & Page:0021 -0015

Legal Description:PT LTS 5 BLK E & 1 BLK G CLIFDALE SEC 1 & ADJ LD (1.0

Parcel Taxable Value: (REVALUATION 2017)

	Total	Land	Building	Misc.	
Appraised:	79,545.00	26,000.00	51,958.00	1,587.00	01,

Land Assessment:

Land Use	Land Units	Land Type	Land Rate	Lar
RURAL HOME	1.00	LT	26,000.00	2

(A max of 5 sales can be shown)

Sale History Data:

Deed Book	Deed Page	Sale Date	S#
10054	00290	03/15/2017	2
02892	00416	07/01/1984	

(A max of 10 improvements can be shown)

Miscellaneous Improvements:

Description	Type	Unit	Number
CL FENCE	CLF	LF	
CONCRETE PAV	COP	SF	
CONCRETE PAV	COP	SF	

Choose the Building to Display: ▾

Building Characteristics

Building #:	01 of 01	# of	
Structure Type:	CONCRETE/MASONRY WLS		
Quality Grade:	335		
Actual Year Built:	1983		
BASE BLDG AREA SQ FT:	1,860	1	
UTILITY UNFIN SQ FT:	260	1	
Exterior1:	CONCRETE BLOCK	%:	
Exterior2:	OVERHEAD D00RS	%:	
Exterior3:		%:	
Exterior4:		%:	
4-Fix Baths: 0	3-Fix Baths: 1	2-Fix Baths: 1	Extra
Elevators: 0	Elv Landings: 0	Res Units: 0	Condi
Kitchen: 0	Fireplaces: 0	Escalators: 0	

Click for Tax Sheet

Exhibit 7

BK 10054 PG 0290

FILED ELECTRONICALLY
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.

FILED Mar 15, 2017
AT 01:45:10 PM
BOOK 10054
START PAGE 0290
END PAGE 0292
INSTRUMENT # 08215
RECORDING \$26.00
EXCISE TAX \$50.00

NORTH CAROLINA GENERAL WARRANTY DEED

File No.: DB-10583-17-CH

Excise Tax: \$50.00

Parcel Identifier No. 9497-64-6544 Verified by Cumberland County on the _____, 20__

By: _____
Mail/Box to: Single Source Real Estate Services, Inc., 2919 Breezewood Ave., Suite 300, Fayetteville, NC 28303

This instrument was prepared by: The Barfield Law Firm, 2919 Breezewood Avenue, Suite 300, Fayetteville, NC 28303

Brief description for the Index: _____

THIS DEED made this 13th day of March, 2017, by and between

GRANTOR

GRANTEE

Louie Wardlaw, a widower
681 Bunce Road
Fayetteville, NC 28314

Vincent O. Wardlaw and Melissa L. Wardlaw
1053 Seventy First School Road
Fayetteville, NC

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, parcel of land or condominium unit situated in the City of Fayetteville, Cross Creek Township, Cumberland County, North Carolina and more particularly described as follows:
see attached legal description.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 2892 page 416.
All or a portion of the property herein conveyed includes or does not include the primary residence of a Grantor.
A map showing the above described property is recorded in Plat Book _____ page _____.

submitted electronically by "Single Source Real Estate Services"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Cumberland County Register of Deeds.

Exhibit 7

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. Subject to restrictive covenants, easements and rights-of-way as they may appear of public record.
Subject to ad valorem taxes which are a lien but not yet due and payable.

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

 (Entity Name) ✓ Louie Wardlaw (SEAL)
 Print/Type Name: Louie Wardlaw

By: _____ (SEAL)
 Print/Type Name & Title: _____
 Print/Type Name: _____

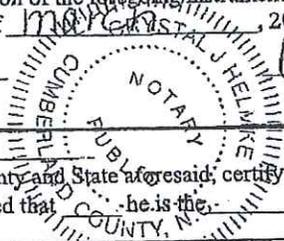
By: _____ (SEAL)
 Print/Type Name & Title: _____
 Print/Type Name: _____

By: _____ (SEAL)
 Print/Type Name & Title: _____
 Print/Type Name: _____

State of North Carolina – County of Cumberland

I, the undersigned Notary Public of the County and State aforesaid, certify that Louie Wardlaw 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 13th day of March, 2017

My Commission Expires: 1-30-2020



Kristal J. Helmke
 Notary Public

State of North Carolina – County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that _____ he is the _____ of _____ a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, _____ he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____

Notary Public

State of North Carolina – County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____

Notary Public

The foregoing Certificate(s) of _____ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By: _____ Register of Deeds for _____ County
 Deputy/Assistant – Register of Deeds

Exhibit A

BEGINNING at a point in the eastern right-of-way margin (30" from the center) of School Road, said point being North 00 degrees 26 minutes West 256.67 feet from the southwest corner of Lot No. 2, Block "G" Cliffdale Subdivision, as shown in Plat Book 21, Page 15, Cumberland County Registry; and running thence with the eastern margin of said School Road North 00 degrees 26 minutes West 148 feet to the northwest corner of the tract of which this is a part; and running thence with the northern margin of the tract of which this is a part the following courses and distances: North 87 degrees 38 minutes East 113.71 feet; South 57 degrees 36 minutes East 70.00 feet; North 89 degrees 37 minutes East 234.00 feet; North 00 degrees 23 minutes West 162.28 feet; North 89 degrees 30 minutes East 214.55 feet; South 27 degrees 59 minutes East 323.02 feet to the eastern most corner of the tract of which this is a part; thence a new line South 89 degrees 34 minutes West 770.63 feet to the point and place of beginning and containing 3.09 acres, more or less, as surveyed by Charles D. Averette prepared on January 6, 1982.

EXCEPTION: There is excepted from the above tract that portion thereof which was conveyed to Insoul Fellowship Church, Inc. in that certain warranty deed dated October 7, 2008, being recorded in Book 7999, Page 259 of the Cumberland County North Carolina deed registry.