

And to Developer: Sinacori Builders, LLC
Attn: Russ Sinacori
P.O. Box 471785
Charlotte, NC 28247

With Copy to: Sinacori Builders, LLC
Attn: John H. Carmichael
Robinson Bradshaw & Hinson, P.A.
101 North Tryon Street, Suite 1900
Charlotte, North Carolina 28246

Section 5.02. Amendments. (A) This Agreement may be amended or cancelled by mutual consent of the parties to the Agreement. An amendment to this Agreement must be in writing. No statement, action or agreement made after the Agreement Date shall be effective to change, amend, waive, modify, discharge, terminate or effect an abandonment of this Agreement in whole or in part unless such statement, action or agreement is in writing and signed by the party against whom the change, amendment, waiver, modification, discharge, termination or abandonment is sought to be enforced.

(B) An amendment to this Agreement must be processed and considered in the same manner as set forth in Ordinance No. 663 for a proposed development agreement. Any amendment to this Agreement constitutes a major modification and the major modification may occur only after public notice and a public hearing by the County Council.

(C) This Agreement must be modified or suspended as may be necessary to comply with any state or federal laws or regulations enacted after the Agreement Date which prevents or precludes compliance with one or more of the provisions of this Agreement but only to the extent necessary to effectuate compliance with the state or federal law.

Section 5.03. Periodic Review. At least every twelve (12) months, the Chief Zoning Officer for the County or the designee of the Chief Zoning Officer for the County, or the successor to Chief Zoning Officer for the County, must review compliance with this Agreement by the Developer. At the time of review the Developer must demonstrate good faith compliance with the terms of the Agreement.

Section 5.04. Breach of Agreement. (A) If, as a result of the periodic review provided in Section 5.03 of this Agreement or at any other time, the Chief Zoning Officer for the County finds and determines that the Developer has committed a material breach of the terms or conditions of this Agreement, the Chief Zoning Officer for the County shall serve notice in writing, within a reasonable time after the periodic review, upon the Developer setting forth with reasonable particularity the nature of the breach and the evidence supporting the finding and determination, and providing the Developer a reasonable time in which to cure the material breach.

(B) If the Developer fails to cure the material breach within a reasonable time and is not proceeding expeditiously and with diligence to cure the breach, then the County Council may

unilaterally terminate or modify this Agreement. Prior to terminating or modifying this Agreement as provided in this section, the County Council must first give the Developer the opportunity (i) to rebut the finding and determination, or (ii) to consent to amend the Agreement to meet the concerns of the County Council with respect to the findings and determinations.

Section 5.05. Enforcement. The Parties shall each have the right to enforce the terms, provisions and conditions of this Agreement, if not cured within the applicable cure period, by any remedy available at law or in equity, including specific performance, and the right to recover attorney's fees and costs associated with enforcement.

Section 5.06. No Third Party Beneficiary. The provisions of this Agreement may be enforced only by the Parties. No other persons shall have any rights hereunder.

Section 5.07. Recording of Agreement. The Parties agree that Developer shall record this Agreement with the County Register of Deeds within fourteen (14) days of the date of execution of this Agreement.

Section 5.08. Administration of Agreement. County is the only local government that is a party to this Agreement and the County is responsible for the Agreement's administration.

Section 5.09. Effect of Annexation and Incorporation. The Parties agree that this Agreement remains in effect if the Property is, in whole or in part, included in a newly-incorporated municipality or is annexed into a municipality. The Parties acknowledge that upon incorporation or annexation the application and duration of this Agreement is controlled by Section 6-31-110 of the Act. County reserves the right to enter into an agreement with the newly-incorporated municipality or the annexing municipality for the administration and enforcement of this Agreement after the date of incorporation or annexation.

Section 5.10. Estoppel Certificate. Any of the Parties may, at any time, and from time to time, deliver written notice to the other party requesting the party to certify in writing (i) that this Agreement is in full force and effect, (ii) that this Agreement has not been amended or modified, or if so amended, identifying the amendments, (iii) whether, to the knowledge of the party, the requesting party is in default or claimed default in the performance of its obligation under this Agreement, and, if so, describing the nature and amount, if any, of any such default or claimed default, and (iv) whether, to the knowledge of the party, any event has occurred or failed to occur which, with the passage of time or the giving of notice, or both, would constitute a default and, if so, specifying each such event.

Section 5.11. Entire Agreement. This Agreement sets forth, and incorporates by reference all of the agreements, conditions, and understandings among the Parties relative to the Property and its Development and there are no promises, agreements, conditions or understandings, oral or written, expressed or implied, among the Parties relative to the matters addressed in this Agreement other than as set forth or as referred to in this Agreement.

Section 5.12. Covenant to Sign other Documents. County and Developer acknowledge that consummation of the transactions contemplated by this Agreement may require the execution contemporaneously with the execution of this Agreement and thereafter of certain documents in addition to this Agreement and County and Developer agree to cooperate with the execution thereof.

Section 5.13. Construction of Agreement. The Parties agree that each party and its counsel have reviewed and revised this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement or any amendments or exhibits to this Agreement.

Section 5.14. Assignment. The rights, obligations, duties and responsibilities devolved by this Agreement on or to the Developer are assignable to any other person, firm, corporation or entity except that the assignment must conform to the requirements of Section 1.09 and Section 3.05. County may assign its rights, obligations, duties and responsibilities devolved by this Agreement on or to the County to any other person, firm, corporation, or entity.

Section 5.15. Governing Law; Jurisdiction; and Venue. (A) This Agreement is governed by the laws of the State of South Carolina.

(B) The Parties agree that jurisdiction and venue for disputes relating to this Agreement is the Sixth (6th) Judicial Circuit of the State of South Carolina.

Section 5.16. Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed an original, and such counterparts shall constitute but one and the same instrument.

Section 5.17. Eminent Domain. Nothing contained in this Agreement shall limit, impair or restrict the County's right and power of eminent domain under the laws of the State of South Carolina.

Section 5.18. Severability. If any provision in this Agreement or the application of any provision of this Agreement is held invalid, the invalidity shall apply only to the invalid provision, and the remaining provisions of this Agreement, and the application of this Agreement or any other provision of this Agreement, shall remain in full force and effect. However, if the invalid provision would prevent or materially impair Developer's right or ability to complete performance of this Agreement, the Parties agree to use their best efforts to renegotiate that provision in order for Developer to complete performance of this Agreement.

Section 5.19. When Agreement takes Effect. This Agreement is dated as of the Agreement Date and takes effect when (i) the County and Developer have each executed the Agreement, and (ii) the Developer has delivered to the County Administrator clocked-in copies, with book and page numbers, of the recorded deeds conveying the Property to Developer. If the County Administrator has not received clocked-in copies of the deeds conveying the Property to Developer by 5:00 p.m., Thursday, December 31, 2015, then this Agreement is automatically terminated without further action of either the County or Developer. The obligation of the

Developer pursuant to Section 4.02 is effective on the date the last Party to sign this Agreement executes this Agreement and the obligations imposed on Developer pursuant to Section 4.02 survives the termination of this Agreement pursuant to this Section.

SIGNATURES FOLLOW ON NEXT PAGE.

Exhibit A
Property Description

Covington Development

Tax Map No. 3, Parcel 40.00 (portion), 40.02, 40.04, 40.06 and 40.09 [and referred to as 0003-00-040.00 (portion), 0003-00-040.02, 0003-00-040.04, 0003-00-040.06 and 0003-00-040.09]

Tax Map No. 4, Parcel 1 and 2 [and referred to as 0004-00-001.00 and 0004-00-002.00]

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

Exhibit B

THIS EXHIBIT IS INTENTIONALLY LEFT BLANK.

Exhibit C
Development Schedule

	<u>Begin</u>	<u>End</u>
Engineering and Permitting	Aug. 1, 2015	Feb. 1, 2016
Phased Land Development	Mar. 1, 2016	Dec. 1, 2020
Home Construction Starts	Dec. 1, 2016	Aug. 1, 2021
Year 1 Home Closings – Approx. 60 per year	Jan. 1, 2017	Dec. 31, 2017
Year 2 Home Closings – Approx. 60 per year	Jan. 1, 2018	Dec. 31, 2018
Year 3 Home Closings – Approx. 60 per year	Jan. 1, 2019	Dec. 31, 2019
Year 4 Home Closings – Approx. 60 per year	Jan. 1, 2020	Dec. 31, 2020
Year 5 Home Closings – Approx. 60 per year	Jan. 1, 2021	Dec. 31, 2021

This Development Schedule is an estimate. The provisions of Section 1.07 of this Agreement apply to this exhibit.

NOTE: County and Developer acknowledge that development of the Property is limited to three hundred thirty (330) residential units.

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Exhibit D
Required Information

The Act and Ordinance No. 663 require a development agreement to include certain information. The following information is provided in conformance with the Act and Ordinance No. 663.

(A) *a legal description of the property subject to the agreement and the names of the property's legal and equitable owners.* The legal description of the Property is set forth in Exhibit A. As of the Agreement Date, Developer has contractual rights to acquire the Property and, following acquisition, Developer shall be the only legal and equitable owner of the Property. As of the Agreement Date, the legal owners of the Property are Acts Retirement – Life Communities, Inc. (Tax Map No. 0004-00-001.00), Sauer Properties, Inc. (Tax Map No. 0004-00-002.00), Mike and Jennifer Knabenshue (portion of Tax Map No. 0003-00-040.00), Janice Patterson Poston (Tax Map Nos. 0003-00-040.02 and 0003-00-040.04), Mamie B. Patterson Revocable Living Trust (Tax Map No. 0003-00-040.06), Shirley Patterson MacKenzie (Tax Map No. 0003-00-040.09).

(B) *the duration of the agreement which must comply with Code Section 6-31-40.* See Section 1.10.

(C) *a representation by the developer of the number of acres of highland contained in the property subject to the agreement.* See Section 2.02.

(D) *the then current zoning of the property and a statement, if applicable, of any proposed re-zoning of the property.* See Section 1.05.

(E) *the development uses that would be permitted on the property pursuant to the agreement, including population densities, building intensities and height.* See Section 1.06 and Section 4.05.

(F) *a description of the public facilities that will service the development, including who provides the facilities, the date any new facilities, if needed, will be constructed, and a schedule to assure public facilities are available concurrent with the impacts of the development construction timeline for those facilities. If the agreement provides that the County shall provide certain public facilities, the agreement shall provide that the delivery date of the public facilities will be tied to defined completion percentages or other defined performance standards to be met by the developer.* See Article IV.

(G) *a description, where appropriate, of any reservation or dedication of land for public purposes and any provisions to protect environmentally sensitive property as may be required or permitted pursuant to laws in effect at the time of entering into the agreement.* Developer agrees to comply with all applicable environmental laws.

(H) *a description of all local development permits approved or needed to be approved for the development of the property together with a statement indicating that the failure of the*

agreement to address a particular permit, condition, term, or restriction does not relieve the developer of the necessity of complying with the law governing the permitting requirements, conditions, terms or restrictions. See Section 3.04.

(I) a finding that the development permitted or proposed is consistent, or will be consistent by the time of execution of the agreement, with the County's comprehensive plan and land development regulations. See Section 2.01(A).

(J) a description, where appropriate, of any provisions for the preservation and restoration of historic structures. Developer agrees to comply with all laws applicable to the preservation and restoration of historic structures within the Property.

(K) a development schedule including commencement dates and interim completion dates at no greater than five year intervals. See Section 1.07 and Exhibit C.

(L) if more than one local government is made party to the agreement, a provision stating which local government is responsible for the overall administration of the agreement. See Section 5.08.

(M) a listing of the laws and land development regulations that will apply to the development of the property subject to the agreement, including citation to specific ordinance numbers or portions of the County Code of Ordinances or both. See Section 3.01(B) and Exhibit E.

(N) a provision, consistent with Code Section 6-31-80, addressing the circumstances under which laws and land development regulations adopted subsequent to the execution of the agreement apply to the property subject to the agreement. See Section 3.03.

(O) a provision stating whether the agreement continues to apply to the property or portions of it that are annexed into a municipality or included in a newly-incorporated area and, if so, that the provisions of Code Section 6-31-110 apply. See Section 5.09.

(P) a provision relating to the amendment, cancellation, modification or suspension of the agreement. See Section 5.02.

(Q) a provision for periodic review, consistent with the provisions of Section 8 of Ordinance No. 663. See Section 5.03.

(R) a provision addressing the effects of a material breach of the agreement, consistent with the provisions of Section 9 of Ordinance No. 663. See Section 5.04.

(S) a provision that the developer, within fourteen days after the County enters into the agreement, will record the agreement with the County Register of Deeds. See Section 5.07.

(T) *a provision that the burdens of the agreement are binding upon, and the benefits of the agreement shall inure to, all successors in interest to the parties to the agreement. See Section 1.09(A).*

(U) *a provision addressing the conditions and procedures by which the agreement may be assigned. See Section 1.09(B), Section 3.05 and Section 5.14.*

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Exhibit E
Laws and Land Development Regulations

1. Ordinance No. 2015-____ zoning the Property R-15, Moderate Density Residential / Agricultural District with a Cluster Subdivision Overlay District.
2. Ordinance No. 2015-_____, approving this Development Agreement.
3. The Development Agreement Ordinance for Lancaster County, South Carolina: Ordinance No. 663.
4. Unified Development Ordinance of Lancaster County (UDO): Ordinance No. 309, as amended as of the Agreement Date. The UDO includes Ordinance No. 328, as amended, as of the Agreement Date and which is cited as the Land Development Regulations of Lancaster County. The UDO also includes Ordinance No. 2014-1314, relating to final plats and installation of improvements. A copy of the UDO has been signed by the Parties and is on file in the office of the County Planning Department.
5. Land Development Regulations of Lancaster County: See Unified Development Ordinance of Lancaster County.
6. Article V, Chapter 26, Lancaster County Code of Ordinances, Road Construction Standards.

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Exhibit F
Substation Property

To be determined.

Exhibit G
Rezoning Plan

Penelope Karagounis

Exhibit 5

From: CK HAMMER <ckhammer1@yahoo.com>
Sent: Tuesday, April 07, 2015 5:00 PM
To: Penelope Karagounis
Subject: covington

Penelope, Hope you are having a good day. Having waited until now(4:50) and no word from Mr. Holt or Mr. Barnett, the only items that were questioned on the Covington D A were the 80% active adult(Ms. Hinson thought it should be 100%). I would like to see some walkable access to connect the active adult area to the remainder of the sub-division. Ms Hatfield and Mr. Dabney, Mr Pappas and myself agree with this.

Hope this is what you need and thanks for all you do.

Charles

RZ-015-007 – Rezoning application of Mr. Jerry Catledge to rezone ±0.75 acres from R-15, Moderate Density Residential/Agricultural District To R-15S, Moderate Density Residential/Manufactured Housing/Agricultural District. The applicant is proposing the addition of a manufactured home to the property in order to care for his mother.
{Public Hearing} pgs. 83-99
TMS No. 811, Block A, Parcel 3

Nick Cauthen

PLANNING STAFF REPORT: RZ-015-007

I. FACTS

A. GENERAL INFORMATION

Proposal: This is a rezoning application of Mr. Jerry Catledge to rezone ± 0.75 acres from R-15, Moderate Density Residential/Agricultural District To R-15S, Moderate Density Residential/Manufactured Housing/Agricultural District. The applicant is proposing the addition of a manufactured home to the property in order to care for his mother.

Property Location: The property is located at 1109 Tenth St. Lancaster, S.C.

Legal Description: Tax Map Number 81I, Block A, Parcel 3

Zoning Classification: Current: R-15, Moderate Density Residential/Agricultural District

Voting District: District 5, Steve Harper

B. SITE INFORMATION

Site Description: A site built home is located on the ± 0.75 acre property.

C. VICINITY DATA

Surrounding Conditions: The surrounding properties are zoned R-15: Moderate Density Residential/Agricultural District, B-3: General Commercial District, and B-4: Restricted Commercial District. First Pentecostal Holiness Church is located across the street from the subject property and Bear Creek is located behind the subject property.

D. EXHIBITS

1. Rezoning Application
2. Location Map
3. Future Land Use Map
4. Tax Inquiry Sheet
5. BZA Case 015-001 Information
6. UDO – Ch. 2 Section 2.1.1 Residential Districts
7. Table of Uses – R15S

II. FINDINGS

CODE CONSIDERATIONS

The R-15, Moderate Density Residential/Agricultural District, is designed to accommodate the most dense single-family residential developments (not including manufactured homes) in areas of the county which are either experiencing urban growth or which are expected to experience urban growth in the near future.

The R-15S, Moderate Density Residential/Manufactured Housing/Agricultural District, contains the same regulations as the R-15 district except for the following:

- a. Both single-wide and multi-wide manufactured housing units are allowed based on siting criteria (see section 4.1.12) in addition to site-built and modular homes.
- b. This zoning district classification should be used to designate existing and future manufactured home subdivisions which do not/are not intended to consist of at least 50 percent multi-wide manufactured housing units.
- c. This zoning district classification is appropriate adjacent to manufactured housing parks.

III. CONCLUSIONS

The facts and findings of this report show that the property is designated as urban on the future land use map. Urban is defined as a walkable neighborhood with additional intensity by the *Lancaster County Comprehensive Plan 2014-2024*. However, the future land use map does not differentiate between site built and manufactured homes. The subject parcel was granted a variance on March 10th of this year allowing the placement of a site built home and a manufactured home on 0.75 acres of property pending a successful petition to rezone the property. The variance was granted based on the fact that a flood zone is located directly behind the property and that manufactured homes are located in the surrounding area. There are 3 manufactured homes adjacent to the subject property along with a manufactured home behind the Rescue Squad on the corner of Tenth Street and Great Falls Highway that is approximately 500 feet away.

IV. RECOMMENDATION:

It is therefore the recommendation of the planning staff that the rezoning request for the property located at 1109 Tenth St. Lancaster, S.C. be **APPROVED**.

LANCASTER COUNTY

APPLICATION TO AMEND OR CHANGE THE TEXT OR MAP OF THE LANCASTER COUNTY UNIFIED DEVELOPMENT ORDINANCE

Do Not Write In This Box	
Application#	Date <u>3-16-15</u> Paid <input checked="" type="checkbox"/>
<u>RZ-015-007</u>	

- The application is for amendment to the: (check one)
 - District Boundary Map (fill in all items #2,3,4,5,6,7,&9 only)
 - Ordinance Text (fill in items # 8 & 9 only)
- Give either exact address or tax map reference to property for which a district boundary change is requested: 0081I-0A-003.00
- How is this property presently designated on the map? R15
- How is the property presently being used? Residential Home
- What new designation or map change do you purpose for this property? R15-S
- What new use do you propose for the property? Addition of a manufactured home.

EXPLAIN UNDER ITEM #9 WHY THIS AREA SHOULD BE REDESIGNATED OR CHANGED.

- Does the applicant own the property proposed for this change? YES NO If no, give the name and address of the property owner and attach notarized letter from property owner:

Jerry Cattedge 2048 Nations Ford Rd.
Rock Hill, SC 29730
- If this involves a change in the Ordinance text, what section or sections will be affected? _____

9. Explanation of and reasons for proposed change: To be able to place
a permanent manufactured home on the property
(attach another page if additional space is needed) in order to care for mother.

10. Applicant's can request a 5 minute PowerPoint presentation at County Council to be given during the ordinance reading time and at 1st reading only. You will be allowed 5 slides or less. This information must be given to the Clerk to Council by the Friday prior to the Monday Council meeting. Please check the appropriate box to indicate whether or not you will be giving a PowerPoint presentation. YES NO

NOTE: It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant.

APPLICANT'S NAME (PRINT)
Jerry R. Cattedge

ADDRESS:
2048 - Nations Ford Rd
Rock Hill, SC 29730

Phone: 803-366-7788 Home

Jerry R. Cattedge
SIGNATURE



NOTICE OF ENTRY UPON LAND

Section 6-29-340(A) of the Code of Laws of South Carolina 1976, as amended, provides, in part, that "[t]he planning commission, its members and employees, in the performance of its functions, may enter upon any land with consent of the property owner or after ten days' written notification to the owner of record, make examinations and surveys, and place and maintain necessary monuments and marks on them, provided, however, that the planning commission shall be liable for any injury or damage to property resulting therefrom."

This notice is dated 3/16/15 and serves as written notice to the owner of record of the following property: Tax Map: 0081I-OA-003.00 (the "Property") that the employees of the Lancaster County Planning Department and the members of the Lancaster County Planning Commission may enter upon the Property at any time after ten days from the date of this notice for the purpose of making examinations, surveys and to perform their respective official duties, without consent or further notice to the owner of record.

ACKNOWLEDGMENT OF RECEIPT OF NOTICE

By signing below, I acknowledge receipt of the above Notice of Entry Upon Land.

Jerry R. Cattleidge
Signature

Jerry R. Cattleidge
Printed Name

03-16-2015
Date

If the owner of record refuses to acknowledge receipt of the Notice of Entry Upon Land, then the Planning Director, or a person authorized by the Planning Director, shall sign and date the area below:

Planning Director or Authorized Person Signature

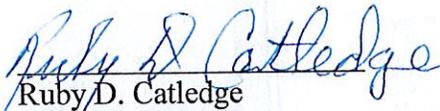
Planning Director or Authorized Person Printed Name

Date

LANCASTER COUNTY -Rezoning Application

The undersigned, as the owner of the parcel of land located at 1109 Tenth Street located in Lancaster, South Carolina that is designated as Parcel Identification Number 0081I-OA-003.00 on the LANCASTER County Tax Map and which is the subject of the attached Application To Amend Zoning, hereby give permission to Jerry R. Catledge to request and file this application and consent to the review of this rezoning application by the County of Lancaster.

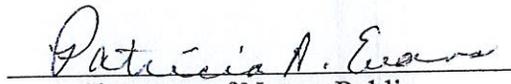
This 17th Day of March 2015 By:



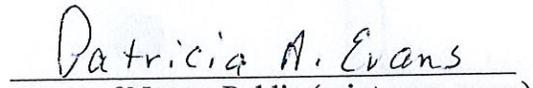
Ruby D. Catledge
1109 Tenth Street
LANCASTER, South Carolina 29720

State of South Carolina
County of LANCASTER

The foregoing instrument was acknowledged before me this 17th day
of March, 2015, at Lancaster County, South Carolina
by Ruby D. Catledge to be her free act and deed.



Signature of Notary Public



Name of Notary Public (print your name)

SEAL

Notary Public, State of South Carolina
My commission expires: 04/04/2022

DEED DRAWN BY ROBERT K. FOLKS
TITLE NOT EXAMINED

0004042 Bk: 0154 Pt: 0294

STATE OF SOUTH CAROLINA

PROBATE COURT

COUNTY OF Lancaster

IN THE MATTER OF HOWARD WADE CATLEDGE, SR., ONE IN THE SAME PERSON AS HOWARD W. CATLEDGE
AKA HOWARD CATLEDGE

CASE NUMBER 2001ES2900289

DEED OF DISTRIBUTION

FILED, RECORDED, INDEXED
4/22/2002 09:00:11PM
Fee: \$10.00 St Fee: \$1.00
Co Fee: \$1.00 Pages: 3
Register of Deeds
LANCASTER COUNTY, SC

WHEREAS, the decedent died on July 21, 2001; and,

WHEREAS, the estate of the decedent is being administered in the Probate Court for Lancaster County, South Carolina in File# 2001ES2900289; and,

WHEREAS, the grantee herein is either a beneficiary or heir at law, as appropriate, of the decedent; and,

WHEREAS, the undersigned Personal Representative is the duly appointed and qualified fiduciary in this matter; and,

NOW, THEREFORE, in accordance with the laws of the State of South Carolina, the Personal Representative has granted bargained, sold and released, and by these Presents does grant, bargain, sell and release to:

Name: Ruby D. Catledge
Address: 1109 Tenth Street
Lancaster, SC 29720

the following described property:

"All that piece, parcel or lot of land with improvements thereon, consisting of a four room house, fronting 102 feet on the northeasterly line of Tenth Street Extension where it is crossed by power lines, in Old Poovey Farm Lancaster County, South Carolina, having courses and distances as follows: Beginning at a point in the northeasterly line of Tenth Street Extension approximately 911.3 feet from its junction with the center line of S.C. Highway No. 200; thence with the northeasterly line of Tenth Street Extension N 46-00 W 102 feet; thence N 56-30 E 220.5 feet; thence S 23-45 E 92.9 feet; thence S 54-00 W 183 feet to the point of beginning, containing .44 acres more or less; the same being lot number 1 on map of said area, prepared March 6, 1957, and recorded in the Office of the Clerk of Court for Lancaster County, South Carolina, in Plat Book 9, at page 45; subject to all existing rights of way."

Being the identical property conveyed to Howard W. Catledge and Ruby D. Catledge by Deed of The Springs Cotton Mills, dated June 20, 1957 and recorded July 17, 1957 in Deed Book P-4 Page 535, Office of the Clerk of Court for Lancaster County, South Carolina.

ALSO: "All that piece, parcel or lot of land, being a vacant lot on Tenth Street, and being all of Lot No. 2 as shown and described on a map of Tenth Street Extension Subdivision, Lancaster, South Carolina, dated March 6, 1957 and duly recorded in the Office of the Clerk of Court for Lancaster County, in Plat Book 9 at Page 45.

Being the identical property conveyed to Howard Catledge by Deed of Springs Mills, Inc., dated March 31, 1971 and recorded May 21, 1971 in Deed Book A-5 Page 2589, Office of the Clerk of Court for Lancaster County, South Carolina.

FORM 800PG (1/99)
82-3-907, 82-3-908

ASSessor's OFFICE
Received 4-22-02
Tax Map Code 81T-A-314
Or Portion Of _____ Page 1 of _____

21

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises/Property belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises/Property unto the said Ruby Dawkins Catledge, their heirs and assigns forever.

IN WITNESS WHEREOF, the undersigned, as Personal Representative of the estate of the decedent, has executed this Deed, on this 22nd day of April, 2002.

SIGNED, SEALED AND DELIVERED Estate of: Howard Wade Catledge, Sr.
IN THE PRESENCE OF by Signature: Ruby Dawkins Catledge
Ruby Dawkins Catledge, Personal Representative

Witness: D. B. Rawell

Witness: Sherry A. Robertson

STATE OF SOUTH CAROLINA) PROBATE
COUNTY OF Lancaster)

PERSONALLY appeared before me Debra B. Rawell

and made oath that he/she saw the within named Personal Representative(s) sign, seal, and as their act and deed, deliver the within written Deed, and that he/she with Sherry A. Robertson witnessed the execution thereof.

SWORN to before me this 22nd day of April, 2002 Witness Signature: D. B. Rawell

Sherry A. Robertson
Notary Public for South Carolina
My Commission Expires: 10-15-2008

RECORDED THIS 22nd DAY
OF April, 2002
IN BOOK 0 PAGE 01
Sherry A. Morgan
Auditor, Lancaster County, S.C.

STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER

AFFIDAVIT

PERSONALLY APPEARED BEFORE ME, Robert K. Folks who being
first duly sworn, deposes and says that:
(Name of Attorney)

- (1) Deponent is a licensed attorney;
- (2) The grantee(s) named in the attached Deed of Distribution
- Conform to the terms of the will of the decedent named.

[or]

Conform to the heirs at law as shown on Form 300 PC.

Robert K. Folks
Attorney at Law

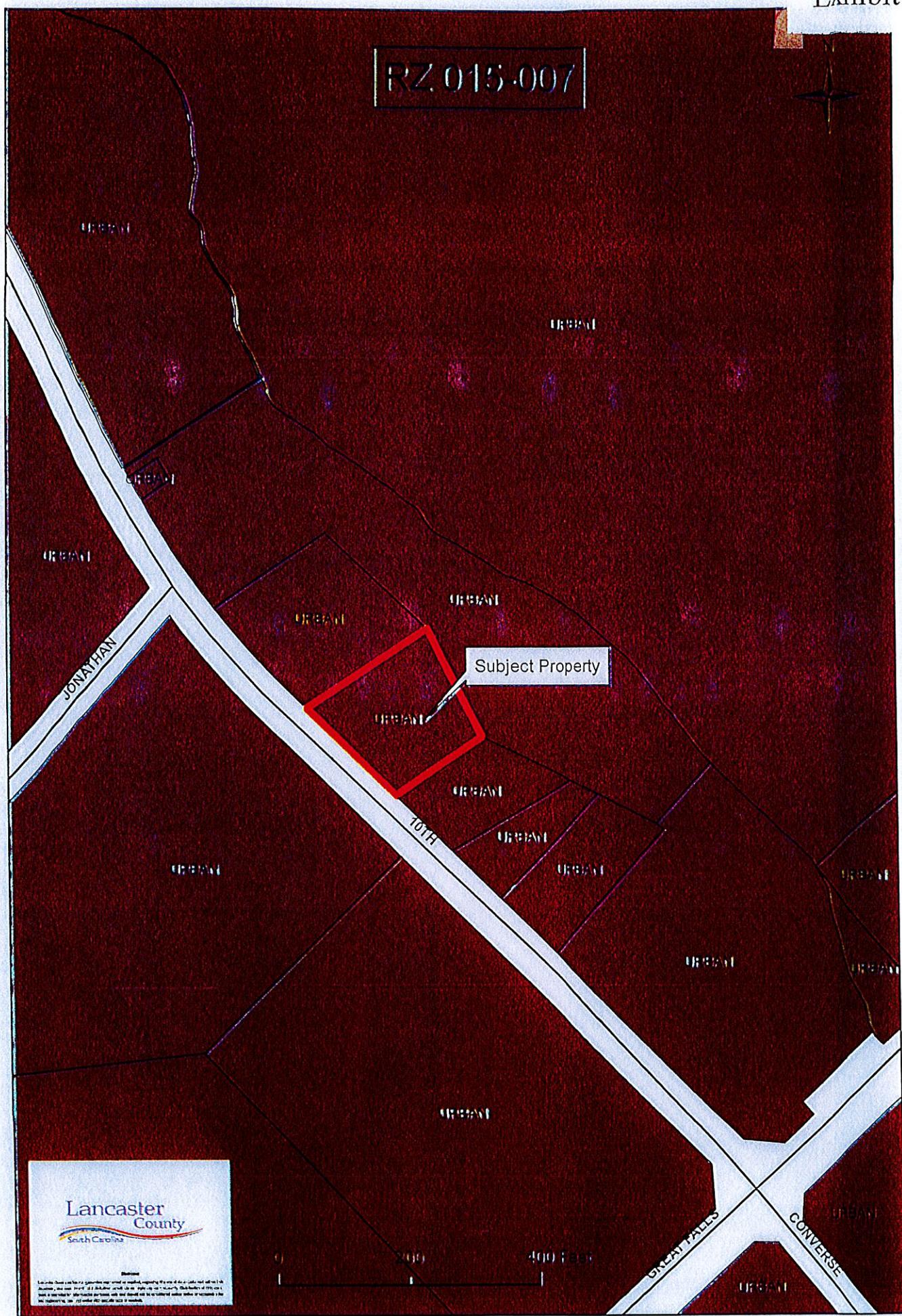
SWORN TO AND
SUBSCRIBED TO BEFORE ME
this 22nd day of April, 2002.

D. B. Raul
Notary Public for South Carolina
My Commission Expires: 12-4-2007

Notarized



RZ.015-007



Lancaster County
South Carolina

Division

This map is based on the 2012 Geographic Information System (GIS) data. It is not intended to be used for legal purposes. It is not a warranty, representation, or guarantee of accuracy. It is not intended to be used for any purpose other than for general information. It is not intended to be used for any purpose other than for general information. It is not intended to be used for any purpose other than for general information.



Indexed By Parcel ID Card #

Add Mod Del Save Cancel

Parcel ID: 00811-0A-003.00

Account: 13753
 Sticker #:
 Location: 1109 TENTH ST Lancaster
 Land Use: QR - QualRes
 Owner #1: CATLEDGE RUBY D

Card: 1/1
 District: 01 - County
 Ent. Parcel Area: 186 - FF
 Neigh: 31 - 31
 Dwin Type:

Market Adj Value

Calc. Land Area:	186,000	Current
Full Market Value:	35,000	
Building Value:	23,100	
Yard Items:	800	
Land Value:	11,100	
Total Value:	35,000	
Assessed Value:	1,400	
Capped Total:	29,610	

Year 2014 Legal Description

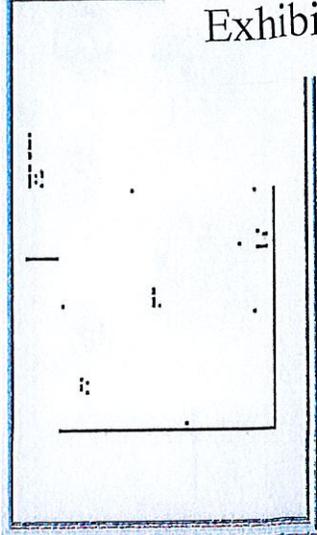
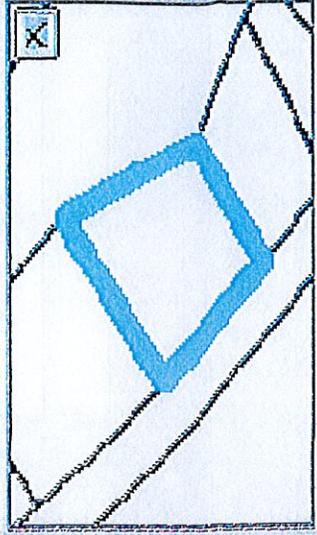
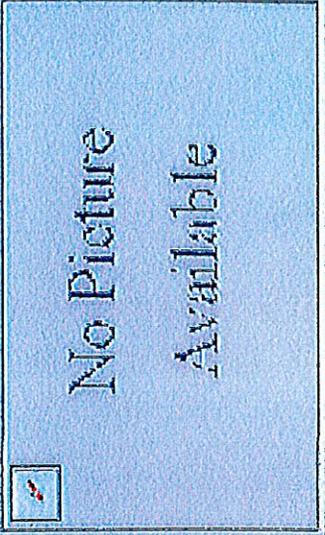
186,000	192X220X182X156
35,000	
23,100	
800	
11,100	
35,000	
1,400	
29,610	Reval / Market 03

Sales Information

Grantor:
 Sale Price: 0
 Sale Date: 6/12/1957 Sold Vacant: No
 Legal Ref: P004-0535

Narrative Description

This parcel contains 186 FF of land mainly classified as QualRes with a Sing Fam Dw Building built about 1902, having primarily Wood Siding Exterior and 832 Square Feet, with 0 Unit, 1 Bath, 0 3/4 Bath, 0 HalfBath, 0 Rooms, and 0 Bdrm.





AssessPro 4.5.13/4513 - Lancaster2015 - [Ownership/ID/Tax Info]

File Edit Record Navigate Process Utilities Tools Options Help Status Database

Indexed By: Parcel ID: Card #

Add Mod Del Save Cancel

Print Back Forward Home

ParcelID: 0081104-003.00 Card 1 of 1 Location: 1109 TENTH ST Lancaster Cost: \$35,000

Current Owner Prior Owner ID/Factors/Taxes

Current Ownership

Title: #1: CATLEDGE RUBY D #2: #3:

Street #1: 1109 TENTH ST Home Phone: Fill

Street #2: Call Phone: List

City/Town: LANCASTER Work Phone: Verify

Province/State: SC Postal: 29720-0000 Email: Verify

Country: Account Type: Separate Bill

D.O.B.: MM/DD/YYYY Legal Reference: Valid Owner

Owner Occupied: Owner Lookup Number: 10385 Private Infor

Sales Exemptions Other Parties

Open 2/10/2015 2:17 PM Ownership Information 13753 Quit

**NOTICE OF ACTION BY
LANCASTER COUNTY BOARD OF ZONING APPEALS
ON VARIANCE APPLICATION**

TO: Property Owners Adjacent to property located at 1109 Tenth St.

FROM: Lancaster County Planning Department

SUBJECT: Action taken on a variance request from the requirements of Chapter 4, Conditional and Special Exception Uses, Section 4.1.12, Manufactured Homes (5b) of the Lancaster County Unified Development Ordinance (UDO).

DATE: March 16, 2015

The Lancaster County Board of Zoning Appeals held a public hearing on Tuesday, March 10, 2015 to consider an appeal by Mr. Jerry Catledge for a variance from the requirements of Chapter 4, Conditional and Special Exception Uses on property located at 1109 Tenth St., Lancaster (TMS # 0081I-0A-003.00). This letter serves as official notification of the action taken by the Board of Zoning Appeals on this matter.

After consideration of the evidence and arguments presented, the Board of Zoning Appeals concluded that the request for a variance from the requirements of Chapter 4, Conditional and Special Exception Uses be **APPROVED (5-0)**. **A 0.75 acre variance was granted allowing the addition of a manufactured home to the property.** The property now must be rezoned since manufactured homes are not allowed in the current zoning district. Approval was based on the findings of fact and conclusions stated in the order on the variance application issued by the Board of Zoning Appeals.

Any person who may have a substantial interest in any decision of the Board of Zoning Appeals may appeal from any decision of the Board to the Circuit Court in and for the County of Lancaster, filing with the Clerk of such Court a petition in writing setting forth plainly, fully and distinctly wherein such decision is contrary to law. Such appeal shall be filed within thirty (30) days after the decision of the Board is sent by certified mail to all interested parties.

Please find the enclosed copy of the *Order on Variance* issued by the Board of Zoning Appeals. The order separately states the findings of the fact and the conclusions of law pertaining to the property.

If you have any questions or concerns, please contact the Lancaster County Planning Department at (803) 285-6005. Thank you.

Sincerely,

Nick Cauthen
Planner

LANCASTER COUNTY BOARD OF ZONING APPEALS
APPLICATION FORM 6
ORDER ON VARIANCE APPLICATION

Exhibit 5

Date Filed: 2-9-15 Application No: BZA-015-001

The Lancaster County Board of Zoning Appeals held a public hearing on Tuesday, March 10, 2015 to consider the appeal of Mr. Jerry Catledge for a variance from the requirement(s) of Chapter 4, Conditional and Special Exception Uses, as stated on the Variance Application (Form 3) affecting the property described on the Notice of Appeal (Form 1). After consideration of the evidence and comments presented, the Lancaster County Board of Zoning Appeals makes the following findings of fact and conclusions.

(1) The Lancaster County Board of Zoning Appeals concludes that the Applicant(s) X does have an unnecessary hardship because there are extraordinary and exceptional conditions pertaining to the particular piece of property based on the following findings of fact: The applicant cannot increase the size of property because property behind the home is in a flood zone and unbuildable.

(2) The Lancaster County Board of Zoning Appeals concludes that these conditions X do not generally apply to other property in the vicinity based on the following findings of fact: These conditions would not apply to other adjacent property because there are already other manufactured homes in the area.

(3) The Lancaster County Board of Zoning Appeals concludes that because of these conditions, the application of the ordinance to the particular piece of property X would effectively prohibit or unreasonably restrict the utilization of the property based on the following finding of fact: Without granting the variance the applicant would not be able to place a manufactured home on the property.

(4) The Lancaster County Board of Zoning Appeals concludes that the authorization of the variance X will not be of substantial detriment to adjacent property or to the public good, and the character of the district X will not be harmed by the granting of the variance based on the following findings of fact: The granting of the variance would not harm the surrounding properties. There are 3 manufactured homes located adjacent to the property.

(5) The Lancaster County Board of Zoning Appeals concludes that the effect of the variance X would not be to allow the establishment of a use not otherwise permitted in the zoning district, based on Chapter 4, Conditional and Special Exception Uses of the ordinance; X would not extend physically a non-conforming use of the land; and X would not change the zoning district boundaries shown on the official zoning map, based on the following findings of fact: This variance changes the dimensional requirements of the property but would not allow the establishment of a manufactured home. A rezoning would be required in order to allow that. There will be no extension of a physically non-conforming use of land nor will any district boundaries be changed.

THE LANCASTER COUNTY BOARD OF ZONING APPEALS, THEREFORE,
ORDERS that the variance is denied X granted, subject to the following conditions:

OVER>

Reid Rushing
Chairperson

Date issued: 3/16/15

Date mailed to parties in interest: 3/16/15

Judy D. Bamineau
Secretary

Notice of appeal to Circuit Court must be filed within 30 days after date this Order was mailed.

- Section 2.1.1 - Residential districts established.

The following residential use districts are hereby established: R-15, R-15S, R-15D, R-30, R-30S, R-30D, R-45, R-45A, R-45B, MF, and MHP. Each of these districts is designed and intended to secure for the persons who reside there a comfortable, healthy, safe, and pleasant environment in which to live, sheltered from incompatible and disruptive activities. Other objectives of these districts are explained in the remainder of this section.

In addition to the stated objectives of each zoning district, all districts are designed to encourage the perpetuation of general agricultural activities such as general row crop production, free-range livestock operations and pasture land, hay land, woodland and wildlife management areas. Intensive agricultural enterprises such as turkey barns, hog farms and other confined livestock operations shall only be allowed in the R-45A district.

1. The R-15, Moderate Density Residential/Agricultural District, is designed to accommodate the most dense single-family residential developments (not including manufactured homes) in areas of the county which are either experiencing urban growth or which are expected to experience urban growth in the near future. This type of development requires that both water and sewer lines be installed prior to construction beginning on the site. If water and sewer are not available to the site, the site shall be developed based on the regulations of the R-30 district (see below) The minimum lot size is 14,520 square feet and the minimum lot width is 90 feet.
2. The R-15S, Moderate Density Residential/Manufactured Housing/Agricultural District, contains the same regulations as the R-15 district except for the following:
 - a. Both single-wide and multi-wide manufactured housing units are allowed based on siting criteria (see section 4.1.12) in addition to site-built and modular homes.
 - b. This zoning district classification should be used to designate existing and future manufactured home subdivisions which do not/are not intended to consist of at least 50 percent multi-wide manufactured housing units.
 - c. This zoning district classification is appropriate adjacent to manufactured housing parks.
3. The R-15D, Moderate Density Residential/Manufactured Housing/Agricultural District, contains the same regulations contained in the R-15 district except for the following:
 - a. Only multi-wide manufactured housing units in addition to site-built and modular homes are allowed in this district based on certain siting criteria (see section 4.1.12).
 - b. This zoning district classification should be used when designating new areas for allowing manufactured housing in areas where public water and sewer are either in place or where such utilities can be extended by the developer.
 - c. The commercial uses allowed in the district are for the convenience of the local residents. Therefore, the uses are limited in scope and serve to meet the essential needs of the local resident. Such uses shall only be allowed on lots located at the intersection of two roads. One of the roads shall be part of the state highway system. No commercial uses shall be allowed on lots having frontage on any local street. The commercial uses allowed in this district are specified in the Table of Permissible Uses. All commercial buildings in this district are limited to 6,000 (gross) square feet.

RESIDENTIAL R-15S

USES PERMITTED:

1. Site Built Single-Family Detached House
2. Modular Single-Family Detached House
(Meets CABO Building Code)
3. Religious Institution
4. Telephone Communications Facilities
5. Park or Playground
6. Golf Course (public or membership)
7. Nature Preserve or Wildlife Sanctuary
8. Botanical or Zoological Garden
9. Cemetery/Mausoleum
10. Other Designated Community Open Space Area
11. Livestock Facility (except commercial meat production centers)
12. General Agricultural Activities (i.e.) general row crop production, free range Livestock, etc.
13. Forest Production – Including Christmas Trees

CONDITIONAL USES:

1. Double-Wide
2. Single-Wide
3. Class “B” Manufactured Home (meets HUD specifications)
4. Manufactured Home Subdivision
5. Primary Residence and Manufactured Home (provided one unit is owner occupied)
6. Temporary Dependent Care Residences
7. Temporary emergency, construction, and repair residence
8. Home Occupation
9. Private or Commercial Horse Stables
10. Wireless Communication Towers (i.e. Cellular Communications)

USES REQUIRING REVIEW BY THE PC:

1. Elementary or Secondary School
2. College, University or Professional School
3. Library
4. Police Station
5. Fire Station
6. Ambulance Service/Rescue Squad
7. United States Postal Service Facility

SPECIAL EXCEPTION USES:

1. *Recycling Facilities, Convenience Centers and Resource Recovery Facilities*

**RZ-015-008 – Rezoning application of Lancaster Real Estate Group, LLC to rezone ±77.09 acres of property to B-3, General Commercial District for the purpose of constructing office buildings and related amenities. These properties will be incorporated into the Red Ventures campus. {Public Hearing} pgs. 100-139
TMS No. 0005-00-105.00, 0005-00-107.00, 0005-00-108.00, 0008-00-014.00, 0003-00-040.02 and 0008-00-030.00**

Alex Moore

PLANNING STAFF REPORT: RZ-015-008
APPLICANT: LANCASTER REAL ESTATE GROUP, LLC

I. FACTS

A. GENERAL INFORMATION

Proposal: This is the rezoning application of Lancaster Real Estate Group, LLC to rezone ± 77.09 acres of property to B-3, General Commercial District for the purpose of constructing office buildings and related amenities. These properties will be incorporated into the Red Ventures campus.

Property Location: The properties which are proposed to be rezoned are located south of Potts Lane and east of US HWY 521 in Lancaster County, SC.

Legal Description: TMS No. 0005-00-105.00, 0005-00-107.00, 0005-00-108.00, 0008-00-014.00, 0003-00-040.02 and 0008-00-030.00

Zoning Classification: R-15P, Moderate Density Residential/Agricultural Panhandle District.

Voting District: District 7, Brian Carnes

B. SITE INFORMATION

Site Description: The parcels that comprise this rezoning application are located in the Indian Land section of Lancaster County.

C. VICINITY DATA

Surrounding Conditions: The parcels that are included within this rezoning application are surrounded by the following immediately adjacent zoning districts: Adjacent parcels to the **SOUTH** are zoned R-15P Moderate Density Residential/Agricultural Panhandle District. These parcels are part of the Black Horse Run residential subdivision. Adjacent parcels to the **EAST** (Mecklenburg County) are zoned R-3, Residential Single Family which permits a density of three units per acre. There are two parcels to the **NORTH** which are zoned R-15P and contain single-family residences. The remainder of the properties to the north are zoned B-3, General Commercial. Adjacent parcels to the **WEST** are zoned R-15P.

D. EXHIBITS

1. Rezoning Application
2. Tax Inquiry Sheet
3. Vicinity Map
4. Future Land Use Map—Large Scale
5. Future Land Use Map—Small Scale
6. Overlay Map
7. B-3 Permitted Uses

II. FINDINGS

CODE CONSIDERATIONS

The **R-15P, MODERATE DENSITY RESIDENTIAL/AGRICULTURAL PANHANDLE DISTRICT** is designed to accommodate single-family residential developments (not including manufactured homes) in the northern part of the panhandle. This zoning district will allow residential uses and related residential uses such as religious institutions, fire stations, etc. The maximum density allowed in this zoning district is 1.5 dwelling units per acre (1.5 DU/AC). The minimum lot size is 29,040 square feet and the minimum lot width is 130 feet. The availability of water and or sewer shall not change: (1) the maximum density allowed; (2) the minimum lot size, and (3) the minimum lot width from what is stated above.

The **B-3, GENERAL COMMERCIAL DISTRICT (SEE "EXHIBIT 7" FOR B-3 PERMITTED USES)** is designed to accommodate a wide variety of general commercial uses characterized primarily by retail, office and service establishments which are oriented primarily towards major traffic corridors and/or extensive areas of predominantly commercial usage and characteristics. Commercial uses encouraged in this district are generally patronized in single purpose trips and emphasize large general merchandise establishments, sale of large bulky items, commercial services, repair services, automobile related sales and repair, various types of convenience stores, restaurants, and other recreational and entertainment uses. The district is also suited to accommodate travel oriented uses such as hotels and motels and gas stations.

III. CONCLUSIONS

The existing Red Ventures campus has been an economic boon to Lancaster County. The corporate culture of this organization has resulted in exponential growth throughout the company. The leadership within Red Ventures anticipates continued expansion in Indian Land with many more employees being hired at this location.

Planning Staff was initially approached by the applicant about the processes involved regarding continued expansion of the Red Ventures campus. In the near-term the applicant noted their intent to begin a new building to handle new employees. Specifically they want to begin construction on this building sometime in the late summer to early fall timeframe. To accomplish this the applicant expressed interest in a blanket rezoning to a PDD zoning district for their campus and areas in which the future expansion would take place. Planning Staff believes that the PDD Ordinance as currently written does not allow for enough oversight. Staff acknowledges the need for some possible instances of latitude within the PDD Ordinance based on site specific planning needs. However, it is Staff's opinion that in past instances the existing PDD Ordinance has allowed for too much open-ended interpretation within projects.

Additionally, the future land use map designates this portion of Lancaster County as *Neighborhood Mixed Use*. Per the Lancaster County Comprehensive Plan, the *Neighborhood Mixed Use* category seeks to encourage walkable neighborhoods. The current rewrite that is being undertaken will include a much more workable mixed use category within the UDO to replace the current PDD section. The rewrite should be completed by February 2016.

As specifically related to the Red Ventures site, it is anticipated that the result of the ordinance rewrite will be a zoning district that will facilitate a clean, knowledge-based hub of economic activity. In addition, such a district would allow for mixed uses to include residential, neighborhood scale retail and recreational uses.

For the present, and for the subject site, Planning Staff recommended that the applicant only attempt to rezone the parcels that would be needed to construct the one building that was discussed. To this end the applicant submitted the rezoning application. Subsequently the applicant continued the due diligence process and were advised by County Council members who represent the Indian Land area that it would be better to apply for B-3 for the entirety of the proposed future campus expansion. Thus the application was indeed revised and submitted.

Staff would also like to note that the subject of access has also been discussed with the applicant in relation to emergency ingress/egress. With the proposed addition of any buildings to the Red Ventures campus, Lancaster County Fire Service needs to be in the loop. The applicant has been made aware of this and it has been *highly* recommended that they meet with the Fire Marshal as soon as possible regarding future development.

Planning Staff concludes that the rezoning of B-3, General Commercial for the subject parcels will allow for more certainty on the part of the applicant. While economic development in Lancaster County is important, any future development at this location must also be responsible to existing neighborhoods. Representatives of Red Ventures have met with members of the Black Horse Run Homeowners Association. It is expected that such dialogue will create further opportunities for positive outcomes.

IV. RECOMMENDATION

The proposed rezoning to B-3, General Commercial for these properties presents an opportunity for responsible development. While all of the B-3 uses must be taken into account for this proposed rezoning, Planning Staff expects the current applicant to undertake expansion with the utmost concern of the immediate and surrounding area. It is Staff's opinion that this rezoning will facilitate this by allowing for certainty on their part. Further, and in relative short order, the Red Ventures campus will receive a mixed use zoning designation which will mandate additional site parameters regardless of the developer.

Based on the findings of this rezoning application, Planning Staff advises that the Lancaster County Planning Commission recommend **APPROVAL** of RZ-015-008.

Exhibit 1

LANCASTER COUNTY

APPLICATION TO AMEND OR CHANGE THE TEXT OR MAP OF THE LANCASTER COUNTY UNIFIED DEVELOPMENT ORDINANCE

Do Not Write In This Box		
Application#	Date	Paid
RZ-015-008	3-17-15	\$500.00

- The application is for amendment to the: (check one)
 District Boundary Map (fill in all items #2,3,4,5,6,7,&9 only)
 Ordinance Text (fill in items # 8 & 9 only)
- Give either exact address or tax map reference to property for which a district boundary change is requested: 0005-00-105.00; 0005-00-107.00; 0005-00-108.00; 0008-00-014.00; + 0008-00-030.00
- How is this property presently designated on the map? R-15P
- How is the property presently being used? Vacant undeveloped land
- What new designation or map change do you purpose for this property? B-3
- What new use do you propose for the property? office buildings + related amenities

EXPLAIN UNDER ITEM #9 WHY THIS AREA SHOULD BE REDESIGNATED OR CHANGED.

- Does the applicant own the property proposed for this change? YES NO If no, give the name and address of the property owner and attach notarized letter from property owner:

- If this involves a change in the Ordinance text, what section or sections will be affected? n/a

9. Explanation of and reasons for proposed change: Construction of new office buildings/corporate campus + associated parking + employee amenities for additional Red Ventures work force on properties contiguous with other B-3 zoned property (including 0005-00-106 + 0008-00-031)
(attach another page if additional space is needed)

- Applicant's can request a 5 minute PowerPoint presentation at County Council to be given during the ordinance reading time and at 1st reading only. You will be allowed 5 slides or less. This information must be given to the Clerk to Council by the Friday prior to the Monday Council meeting. Please check the appropriate box to indicate whether or not you will be giving a PowerPoint presentation. YES NO

NOTE: It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant.

APPLICANT'S NAME (PRINT)
Lancaster Real Estate Group, LLC

ADDRESS:
1101 Red Ventures Drive
Indian Land, SC 29707

Phone: 704/971-2300

Mark Brodsky
SIGNATURE

Mark Brodsky
Manager
Lancaster Real Estate Group, LLC



NOTICE OF ENTRY UPON LAND

Section 6-29-340(A) of the Code of Laws of South Carolina 1976, as amended, provides, in part, that "[t]he planning commission, its members and employees, in the performance of its functions, may enter upon any land with consent of the property owner or after ten days' written notification to the owner of record, make examinations and surveys, and place and maintain necessary monuments and marks on them, provided, however, that the planning commission shall be liable for any injury or damage to property resulting therefrom."

This notice is dated 3/17/2015 and serves as written notice to the owner of record of the following property: 0005-00-105.00 & 0008-00-030.00; 5-107, 5-108, 8-14 (the "Property") that the employees of the Lancaster County Planning Department and the members of the Lancaster County Planning Commission may enter upon the Property at any time after ten days from the date of this notice for the purpose of making examinations, surveys and to perform their respective official duties, without consent or further notice to the owner of record. *PA 805*

ACKNOWLEDGMENT OF RECEIPT OF NOTICE

By signing below, I acknowledge receipt of the above Notice of Entry Upon Land.

BOT, attorney
Signature

Brian Trimm
Printed Name

3/17/2015
Date

If the owner of record refuses to acknowledge receipt of the Notice of Entry Upon Land, then the Planning Director, or a person authorized by the Planning Director, shall sign and date the area below:

Planning Director or Authorized Person Signature

Planning Director or Authorized Person Printed Name

Date

**UNIFIED DEVELOPMENT ORDINANCE
AMENDMENT PROCESS**

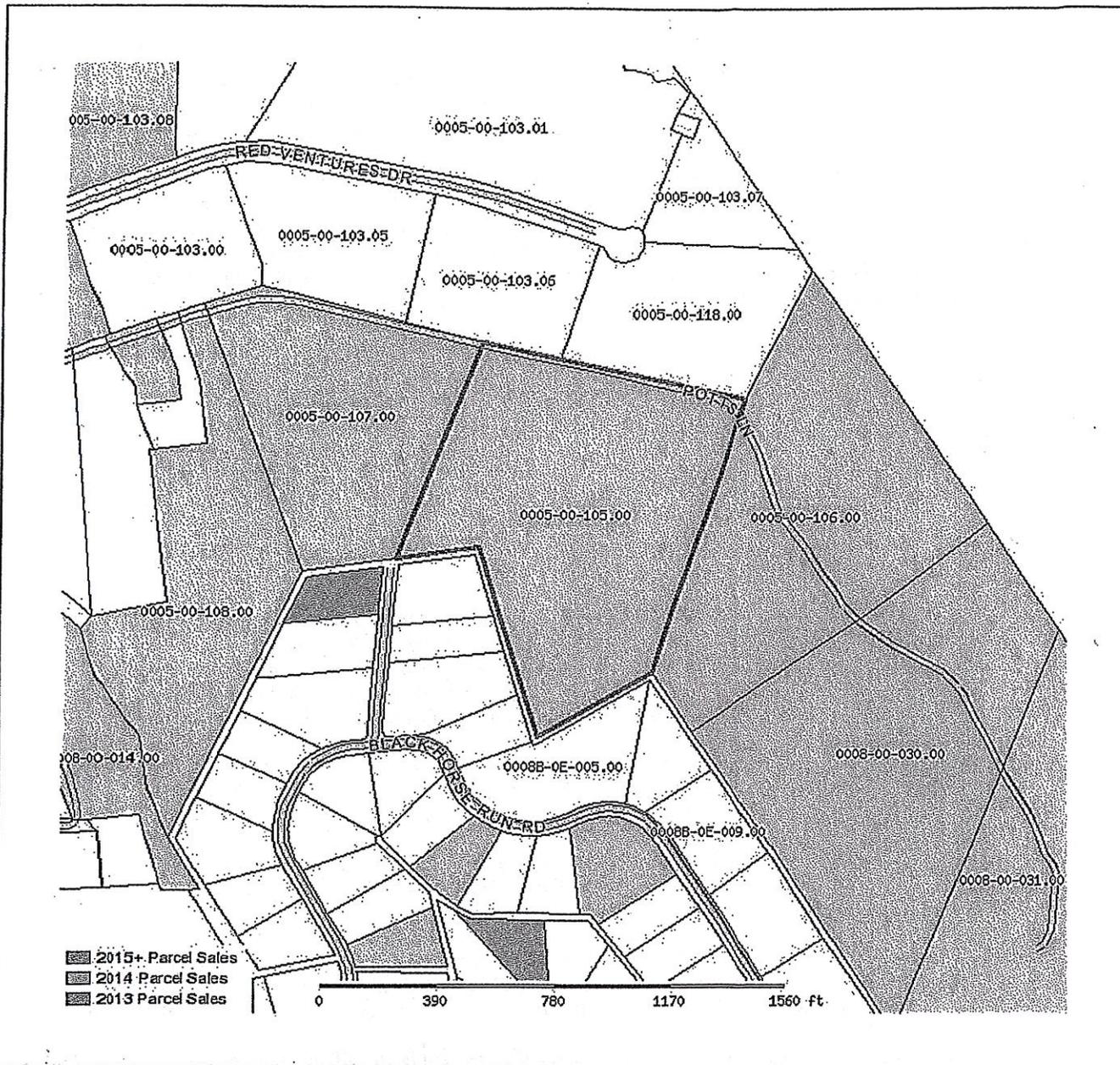
1. **Application:** An application for amending the map or text should be filed with the Planning Department Office at least 30 days prior to the Planning Commission meeting (which is held on the third Tuesday of each month at 6:30 p.m.). Application forms are available upon request at the Planning Commission office – 101 North Main Street, Suite 108, Lancaster SC. All applications must be accompanied by a deed and survey plat. If the applicant does not own the property, a notarized letter from the property owner needs to be submitted with the application. The letter needs to state that the property owner has given the applicant permission to rezone their property. The location of property and tax map and parcel number needs to be stated in the letter. The application must be filled out completely by the applicant. PLEASE NOTE: An application for an Overlay District rezoning request should be filed with the Planning Department by the first Monday of each month by 5:00 p.m.
2. **Fees:**

Rezoning application – single parcel	\$250.00
Rezoning application – multi parcel	\$500.00
Text amendment Fee -	\$250.00
3. **Posting of Property:** The applicant shall be provided with posters announcing the intention of the applicant to have the property rezoned, and the time and place for a Public Hearing on the application to rezone. The property shall be posted along each street upon which it fronts so that it may be visible to the public.
4. **Planning Commission Meeting:** The application will be referred to the Planning Commission for study, a public hearing, and a recommendation. The applicant will be advised of the time and place of the meeting at which his application will be heard. The applicant or a representative is asked to be present at the meeting in order to answer questions concerning the request. After the meeting, the Planning Commission’s recommendation will be submitted to County Council.
5. **Public Hearings:** A public hearing will be held on each amendment request to provide an opportunity for interested citizens and property owners to comment. The public hearing is held during the Planning Commission meeting at which the application is heard.

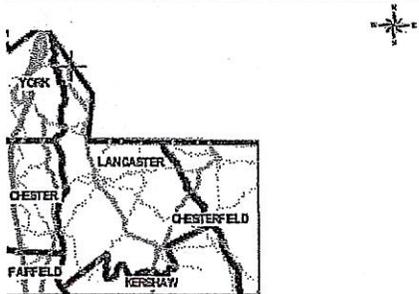
The County will publish a “Notice of Public Hearing” for the proposed request in The Lancaster News. This notice will appear in the paper not less than 15 days prior to the public hearing date.

6. **Council Meeting:** Once the request is forwarded to County Council, the Council will hold three readings on the application. Council meetings are scheduled for the second and fourth Monday of each month at 6:30 p.m. in the County Administrative Building, Suite 224.
7. **Notification of Council's Actions:** After the final reading, the applicant will be notified by letter of Council’s actions and all changes will be posted accordingly.
8. **Withdrawal of an application with the Lancaster County Planning Department:** A written notification letter needs to be submitted to the Lancaster County Planning Department either by mail (Attention: Planning Department, P.O. Box 1809, Lancaster, SC 29721) or by email to planning@lancastercountysc.net . If we do not receive the written notification letter, the Planning Department will not withdraw the application from the agenda. The application fee is non-refundable if the Planning Department has advertised the application, mailed letters to adjacent property owners, or posted the property. Once the application is withdrawn, it is the applicant’s responsibility to fill out a new application if they would like for the application to be placed back on an agenda at a later time. The deadlines are still the same dates that are on the Application form.

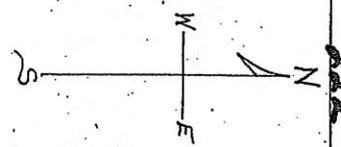
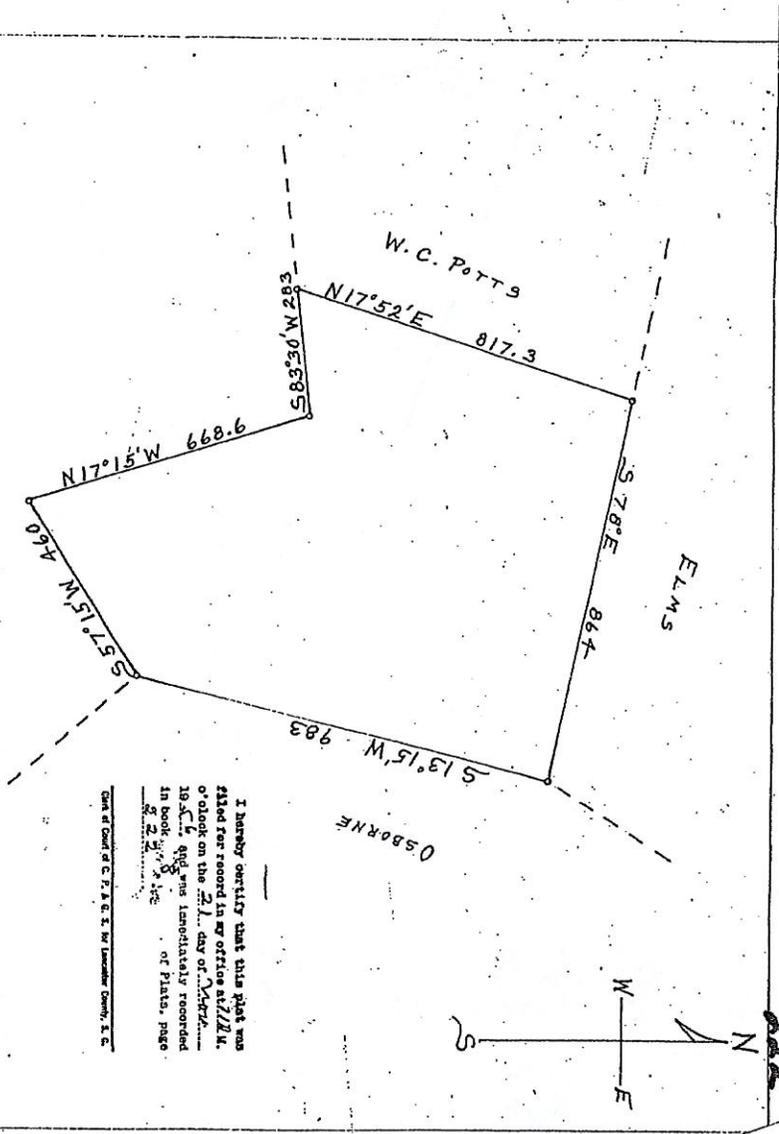
Exhibit 1



Lancaster County Assessor			
Parcel: 0005-00-105.00 Acres: 20.4			
Name	LANCASTER REAL ESTATE GROUP-LL % RED	Land Value	\$500,355.00
Site	POTTS LN	Improvement Val	\$0.00
Sale	\$50 on 09-2014 Vacant= Qual=9L	Accessory Value	\$0.00
Mail	1101 521 CORPORATE CENTER DR INDIAN LAND, SC 29707-0000	Total Value	\$500,355.00



The Lancaster County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY. NEITHER LANCASTER COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS. — THIS IS NOT A SURVEY —
 Date printed: 03/13/15 16:43:24



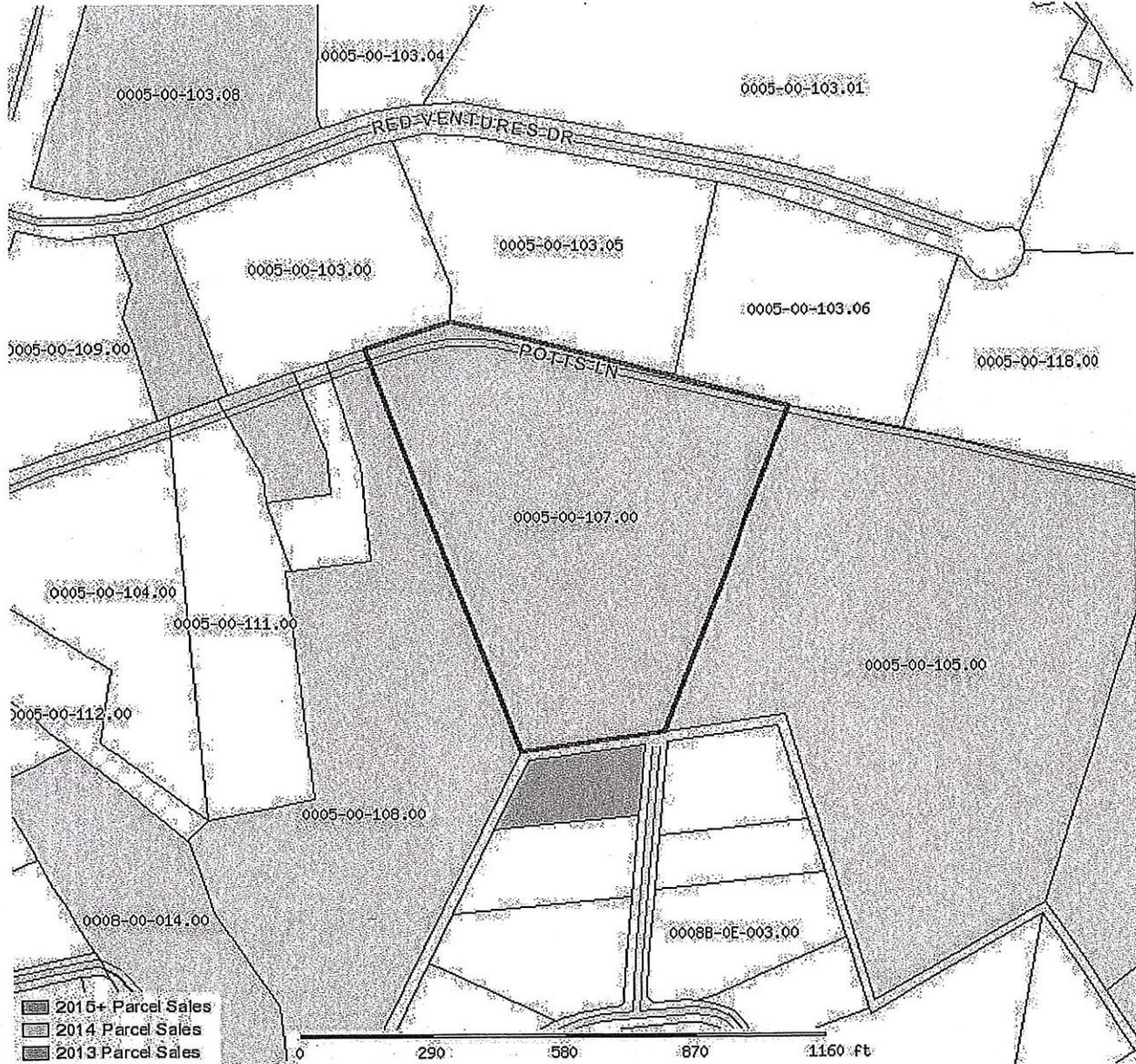
I hereby certify that this plat was filed for record in my office at 7:11 A.M. o'clock on the 21. day of October, 1956, and was immediately recorded in book 27, page 146 of Plats, Page 27, 146.

Clara of Court of C. F. A. C. T. in Lancaster County, S. C.

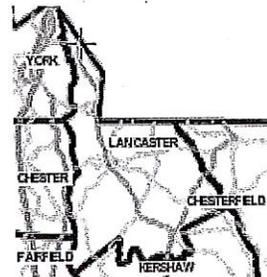
THE ABOVE MAP REPRESENTS A TRACT OF LAND, PROPERTY OF LORAIN P. BARR LOCATED IN INDIAN LAND TOWNSHIP, LANCASTER COUNTY, S. C. SCALE: 1"=200'. 7 AUG. 1956. *L. E. Cantelero*, SURVEYOR



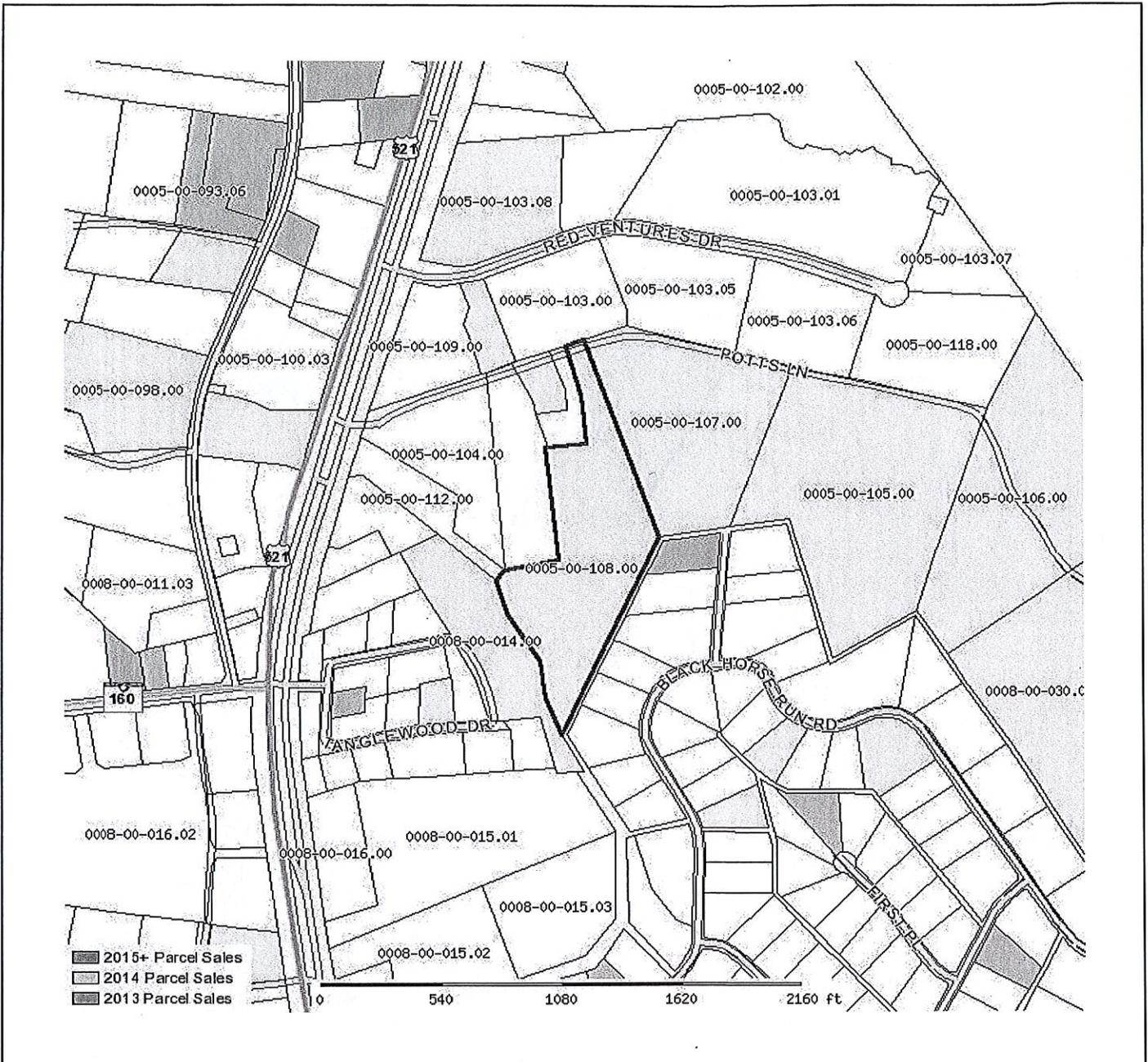
Exhibit 1



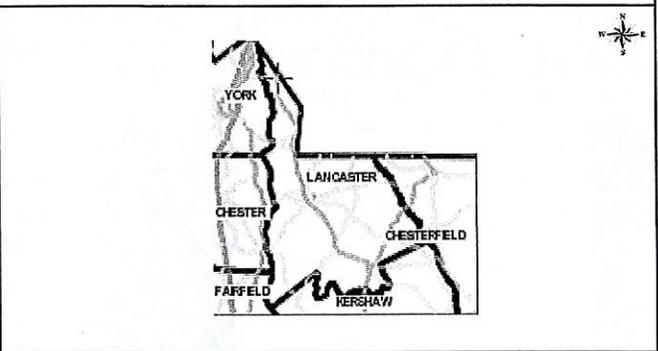
Lancaster County Assessor			
Parcel: 0005-00-107.00 Acres: 12.98			
Name:	LANCASTER REAL ESTATE GROUP LL % RED	Land Value	\$259,926.00
Site:	POTTS LN	Improvement Val.	\$0.00
Sale:	\$0 on 09-2014 Vacant= Qual=9L	Accessory Value	\$0.00
Mail:	1101 521 CORPORATE CENTER DR	Total Value	\$259,926.00
	INDIAN LAND, SC 29707-0000		



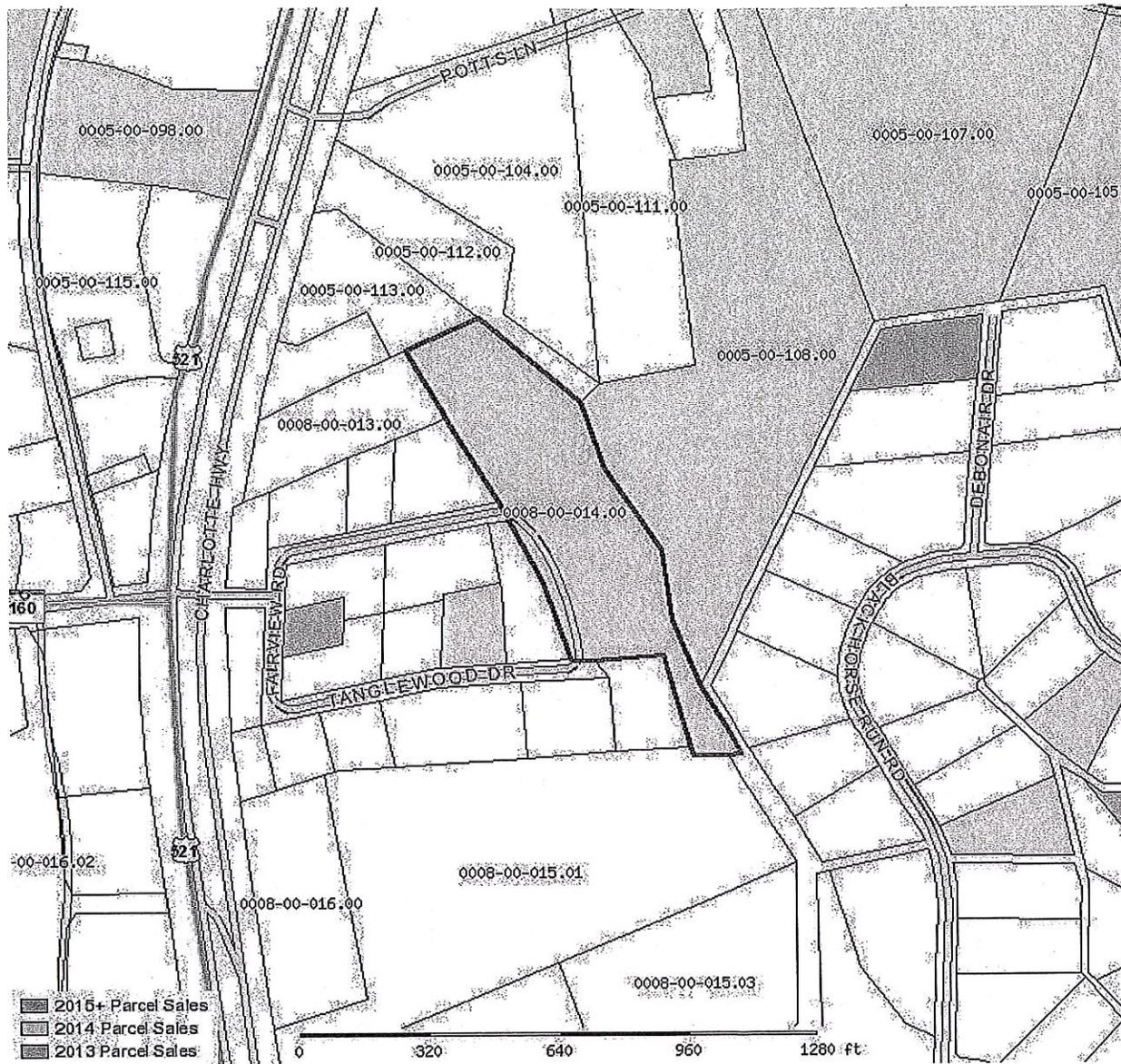
The Lancaster County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY. NEITHER LANCASTER COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS --THIS IS NOT A SURVEY--
Date printed: 03/26/15 : 10:09:59



Lancaster County Assessor			
Parcel: 0005-00-108.00 Acres: 12.84			
North	LANCASTER REAL ESTATE GROUP LL % RED	Land Value	\$256,499.00
Site:	POTTS LN	Improvement Val	\$0.00
Sale:	\$\$0 on 09-2014 Vacant= Qual=9L	Accessory Value	\$0.00
Mail:	1101 521 CORPORATE CENTER DR INDIAN LAND, SC 29707-0000	Total Value	\$256,499.00

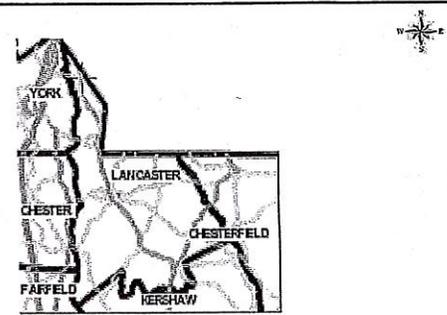


The Lancaster County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER LANCASTER COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS --THIS IS NOT A SURVEY--
Date printed: 03/26/15 : 10:10:52

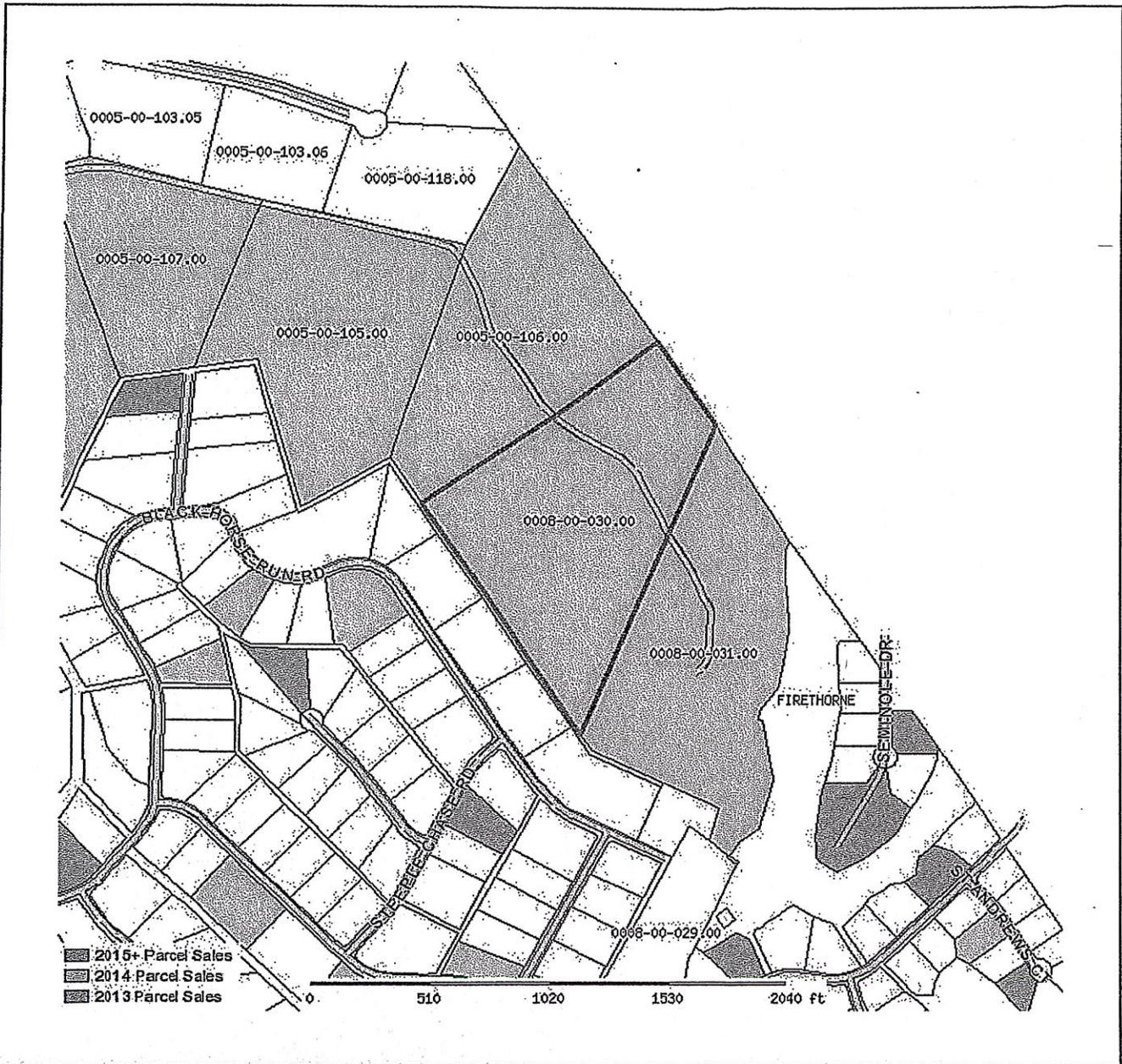


■ 2015+ Parcel Sales
 ■ 2014 Parcel Sales
 ■ 2013 Parcel Sales

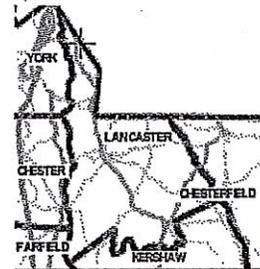
Lancaster County Assessor			
Parcel: 0008-00-014.00 Acres: 6.86			
Name:	LANCASTER REAL ESTATE GROUP LL % RED	Land Value	\$219,520.00
Site:	E/O HWY 521	Improvement Val	\$0.00
Sale:	\$\$0 on 09-2014 Vacant= Qual=1A	Accessory Value	\$0.00
Mail:	1101 521 CORPORATE CENTER DR	Total Value	\$219,520.00
	INDIAN LAND, SC 29707-0000		



The Lancaster County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER LANCASTER COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS --THIS IS NOT A SURVEY--
 Date printed: 03/26/15 : 10:11:37

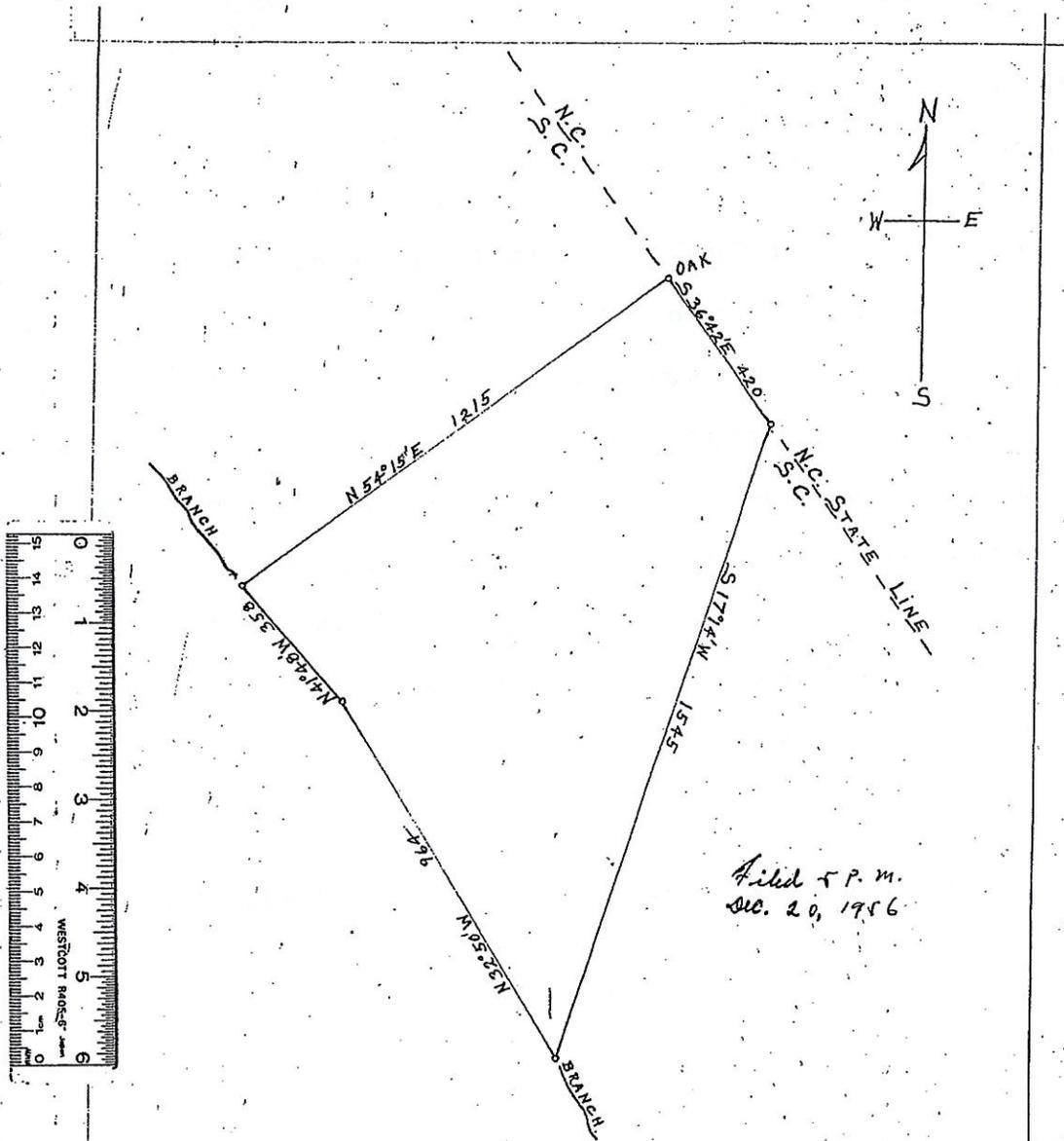


Lancaster County Assessor			
Parcel: 0008-00-030.00 Acres: 24			
Net	LANCASTER REAL ESTATE GROUP LL % RED	Land Value	\$593,135.00
Site	POTTS LN	Improvement Val	\$0.00
Sale	\$50 on 09-2014 Vacant= Qual=9L	Accessory Value	\$0.00
Mail	1101 521 CORPORATE CENTER DR	Total Value	\$593,135.00
	INDIAN LAND, SC 29707-0000		



The Lancaster County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY. NEITHER LANCASTER COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS. THIS IS NOT A SURVEY.

Date printed: 03/16/15 : 10:41:42



*Filed 5 P. M.
 Dec. 20, 1956*



THE ABOVE MAP REPRESENTS A TRACT OF LAND, PROPERTY OF
 JAMES BARNETTE POTTS
 LOCATED IN INDIAN LAND TOWNSHIP, LANCASTER COUNTY, S. C.
 CONTAINING 24 ACRES, MORE OR LESS
 SCALE: 1" = 200'. 7 AUG. 1956. L. E. Carothers, SURVEYOR

237
 5

EXHIBIT 'A'

All that certain piece, parcel or lot of land, lying, being and situate in Indian Land Township, Lancaster County, South Carolina, containing 12.985 acres and being described on that certain survey entitled "Property of Robert M. Potts" drawn May 12, 1988 by J.B. Fisher, SCRLS, as follows: Beginning at a point on the northern side of a dirt road, 704.52 feet from the centerline median of U.S. Highway 521 and running thence N 70 - 44 - 40 E for a distance of 500.50 feet to an iron; thence turning and running S. 19 - 37 - 37 E for a distance of 975.81 feet to a concrete marker; thence turning and running S 79 - 38 - 07 W for a distance of 725.84 feet to an iron; thence turning and running N 5 - 34 - 12 W for a distance of 888.84 feet to an iron, the point of beginning.

LESS that certain 5.04 acre parcel conveyed to Stanley H. Smith and Mary L. Smith by deed dated February 12, 1992, recorded February 24, 1992 in Deed Book M-10 at Page 80 in the Office of the Clerk of Court for Lancaster County, South Carolina.

LESS that certain 2.0 acre parcel conveyed to Boyce McCarver and Becky McCarver by deed dated August 23, 1993, recorded March 3, 1994 in Deed Book B-12 at Page 38 in the Office of the Clerk of Court for Lancaster County, South Carolina.

All that certain piece, parcel or lot of land, with any and all improvements thereon, lying, being and situate in Indian Land Township, Lancaster County, South Carolina, and lying at the rear of property formerly belonging to Dr. R.M. Potts, as shown on that certain plat drawn by T.W. and M.V. Secrest, Surveyors, on December 13, 1933. The said property is more particularly described as follows: Beginning at a point on Tan Yard Branch, joint corner of the subject property and property belonging within Black Horse Run Subdivision, said beginning point having an "x" marked on a boulder in the branch, and running thence with the center of the branch N. 23 W. for a distance of 200 feet to a point; thence continuing N. 9 W. for a distance of 180 feet to a point; thence continuing N. 35 W. for a distance of 252.9 feet; thence continuing N. 19 - 15 W. for a distance of 168 feet to a point; thence leaving the branch and running S. 39 -16 W. for a distance of 57.98 feet to an iron; thence turning and running N. 78 E. for a distance of 729 feet to an iron; thence turning and running with dividing line between the subject property and property within Black Horse Run Subdivision, S. 25 W. for a distance of 1,029 feet to a boulder in the center of Tan Yard Branch, the point of beginning. The said property consists of 6.89 acres. For additional reference, see plat recorded in Plat Book 8 Page 236.

Derivation 1: Being a portion of the property described in Deed of Distribution, Estate of James Barnette Potts, Sr., a/k/a James Barnette Potts, a/k/a J.B. Potts, Case No. 2013ES2900591, to Leila Potts Long and James Barnette Potts, Jr. dated January 23, 2014 and recorded January 24, 2014 in Deed Book 778 Page 70, Register of Deeds Office, Lancaster County, South Carolina.

Derivation 2: Being a portion of the property described in the following Deeds to Robert L. Barr recorded in the Register of Deeds Office, Lancaster County, South Carolina: Deed of Robert L. Barr as Trustee of the Rosa Potts Osborne Trust dated and recorded March 26, 2014 in Deed Book 788 Page 180; Quitclaim Deed of Robert L. Barr as Trustee of the Rosa Potts Osborne Trust dated and recorded March 26, 2014 in Deed Book 788 Page 188.

Tax Map Number. 0005-00-108.00

Exhibit 1

ALSO: All that certain piece, parcel or lot of land lying, being and situate in Indian Land Township, Lancaster County, South Carolina and being more particularly shown on that plat of property entitled "Property of J.B. Potts and Margaret D. Potts" drawn by J.B. Fisher on May 12, 1988 and recorded contemporaneously herewith. Said survey describes the property as containing 12.985 acres, more or less, Beginning at a point 1205 feet from the center of the median of U.S. Hwy 521 and running thence North 70 - 44 - 40 East for a distance of 195.70 feet to an iron; thence turning and running South 75 - 02 - 39 East for a distance of 778.25 feet to an iron; thence turning and running South 21 - 26 - 00 West for a distance of 817.30 feet to an iron; thence turning and running South 85 - 56 - 20 West for a distance of 311.00 feet to a concrete marker; thence turning and running North 19 - 37 - 37 West for a distance of 975.81 feet to an iron, the point of beginning. For additional reference, see Plat No. 9509.

Being a portion of the property described in Deed of Distribution, Estate of James Barnette Potts, Sr., a/k/a James Barnette Potts, a/k/a J.B. Potts, Case No. 2013ES2900591, to Leila Potts Long and James Barnette Potts, Jr. dated January 23, 2014 and recorded January 24, 2014 in Deed Book 778 Page 70, Register of Deeds Office, Lancaster County, South Carolina.

Tax Map Number 0005-00-107.00

ALSO: All that certain piece, parcel or tract of land lying in Indian Land Township, Lancaster County, South Carolina, containing twenty and four-tenths (20.4) acres, more or less, being bounded by the lands of Elms, Osborne, and W.C. Potts, and being designated as property of Lorraine P. Barr on map prepared by L.E. Carothers, Surveyor, dated August 7, 1956, and being more fully described as follows: Beginning at a stake adjoining Elms property, running with the dividing line of Osborne property S 13 15 W 983 feet to a stake; thence S 57 15 W 460 feet to a stake; thence N 17 15 W 668.6 feet to a stake; thence S 83 30 W 283 feet to a stake; thence N 17 52 E 817.3 feet to a stake; thence S 78 E 864 feet to the beginning point. For further reference see Plat Book 8 Page 222.

Being a portion of the property devised to Robert L. Barr according to the Last Will and Testament of Lorraine Potts Barr, deceased June 24, 1975, filed in Roll No. 4238, Office of the Probate Court for Lancaster County, South Carolina. See also Deed of James Barnette Potts, et al. to Lorraine Potts Barr recorded November 7, 1956 in Deed Book O-4 Page 313, Register of Deeds Office, Lancaster County, South Carolina.

Tax Map Number 0005-00-105.00

ALSO: All that certain piece, parcel or lot of land, lying, being and situate in Indian Land Township, Lancaster County, South Carolina and being designated as the northeastern half of that property shown on plat entitled "Above Map Represents a Tract of Land, Property of Rosa P. Osborne", drawn August 7, 1956 by L.E. Carothers, L.S., the same being recorded contemporaneously herewith. The said northeastern half of the property is described as follows: BEGINNING at a hickory on the North Carolina, South Carolina line and running thence with the said State line S. 36 42 E. for a distance of 1096 feet to an oak; thence turning and running S. 54 15 W. for a distance of 500 feet, more or less, to a point; thence turning and running N. 36 42 W. for a distance of 900 feet, more or less to an iron; thence turning and running N. 31 24 for a distance of 525 feet to the hickory, the point of beginning. The said property consists of approximately 10.2 acres.

All that certain piece, parcel or lot of land, lying, being and situate in Indian Land Township, Lancaster County, South Carolina and being more particularly described as the southwestern half of that property shown on the survey entitled "Above Map Represents a Tract of Land of Rosa P. Osborne", drawn by L.E. Carothers, L.S., on August 7, 1956, the same being recorded contemporaneously herewith. The southwestern half of the property is described as follows: BEGINNING at an iron S. 31 24 W. 525 feet from a hickory tree on the North Carolina South Carolina line, said corner being the common corner now or formerly belonging to Barr and property belonging to Elms, and running thence from the said iron, S. 36 42 E. for a distance of 900 feet, more or less, to a point, thence turning and running S. 54 15 W. for a distance of 715 feet, more or less, along the common boundary line belonging to J.B. Potts the Grantee herein, to an iron in a branch; thence turning and running with the branch N. 41 48 W. for a distance of 254 feet to an iron; thence turning and running N. 13 15 E. for a distance of 983 feet to an iron, the point of beginning. The said property consists of 10.2 acres, more or less.

Being a portion of the property described in Deed of Distribution, Estate of James Barnette Potts, Sr., a/k/a James Barnette Potts, a/k/a J.B. Potts, Case No. 2013ES2900591, to Leila Potts Long and James Barnette Potts, Jr. dated January 23, 2014 and recorded January 24, 2014 in Deed Book 778 Page 70, Register of Deeds Office, Lancaster County, South Carolina.

Tax Map Number 0005-00-106.00

ALSO: All that certain piece, parcel or tract of land lying in Indian Land Township, Lancaster County, South Carolina, containing twenty-four (24) acres, more or less, and designated as property of James Barnette Potts on map prepared by L.E. Carothers, Surveyor, dated August 7, 1956, and being more fully described as follows: Beginning at an oak on the N.C. - S.C. State Line, running thence S 36 42 E 420 feet to a stake on the said N.C. - S.C. State Line; thence, adjoining Grantors' property, running S 17 14 W 1545 feet to Branch; thence running with said Branch N 32 50 W 964 feet, thence N 41 48 W 358 feet to a stake on Branch; thence N 54 15 E 1215 feet to the beginning point. For additional reference, see plat recorded in Plat Book 8 Page 237.

Being a portion of the property described in Deed of Distribution, Estate of James Barnette Potts, Sr., a/k/a James Barnette Potts, a/k/a J.B. Potts, Case No. 2013ES2900591, to Leila Potts Long and James Barnette Potts, Jr. dated January 23, 2014 and recorded January 24, 2014 in Deed Book 778 Page 70, Register of Deeds Office, Lancaster County, South Carolina.

Tax Map Number 0008-00-030.00

Together with non-exclusive easement for purposes of ingress and egress to and from the above described parcels and U.S. Highway 521 as described in Deed Book I-13 Page 299 dated September 1, 1995 and recorded September 5, 1995, in the office of the Register of Deeds for Lancaster County, South Carolina.

ALSO: All that certain piece, parcel or tract of land, with any and all improvements thereon, lying, being and situate in the State of South Carolina, County of Lancaster, Indian Land Township, in the Pleasant Valley Community, containing, originally, 26.2 acres, more or less, and being bounded as follows: On the West by Old Lancaster-Charlotte Highway; on the North by lands, now or formerly, of Nelson W. Moore and Margaret W. Moore and T.W. Culp Estate Lands; on the East by lands, now or formerly, of J.L. Potts or Dr. R.M. Potts Estate and O.W. Potts, said eastern boundary being a small running stream; and on the South by lands now or formerly of J.P. Harris and other estate lands of John M. Harris. Said estate lands being separated by a line beginning on the Northeast corner of J.P. Harris lands and running in an easterly direction to a corner in a small branch. LESS the following properties: two lots conveyed to Roger F. Barr as found in Deed Book W-4 at Page 443; Lots 3 and 4 of Pleasant Valley Village conveyed to J.H. King in Deed Book Y-4 at Page 393; Lot 1 and part of Lot 2 of Pleasant Valley Village to Lorraine P. Barr as found in Deed Book Y-4 at Page 406; Portions of Lots 11, 12 and 13 of Pleasant Valley Village to Furman F. Gordon in Book Y-4 at Page 582; Portion of Lots 18, 19, and 20 Pleasant Valley Village to William Leroy Harris in Book Y-4 at Page 593; Lot in Pleasant Valley Village to John Wallace Bridges in Book B-5 at Page 186; Lots 32, 33 and 34 of Pleasant Valley Village to Thomas R. Mackey in Book B-5 at Page 395; House and lot to J.H. King in Book B-5 at Page 409; Lot 23, 24, and 25 Pleasant Valley Village to Howard L. Snipes, et al. in Book B-5 at Page 460; Lots 5 and 6 of Pleasant Valley Village to Tommy Lee Therrell, et al. in Book E-5 at Page 409; Lots 21 and 22 of Pleasant Valley Village to William Leroy Harris, et al. in Book B-5 at Page 55; Lots 7 and 8 of Pleasant Valley Village to Della Whitlow Rymer, et al. in Book F-5 at Page 266; Lots 35 and 36 of Pleasant Valley Village to Randolph O. Potts, et al. in Book H-5 at Page 350; Lot 40 of Pleasant Valley Village to John R. McDade, et al. in Book L-5 at Page 120; Lot 139 of Pleasant Valley Village to Harry Eugene St. Clair, et al. in Book V-5 at Page 159, Lots 14 and 15 of Pleasant Valley Village to Furman Gordon, et al. in Book Z-5 Page 1293; Lots 29, 30 and 31 of Pleasant Valley Village to Edsel M. Griffin, et al. in Book A-6 at Page 3131; a one (1) acre lot in Pleasant Valley Village to Douglas B. Hughes in Book D-6 at Page 1080, being re-filed in Book D-6 at Page 1229; .33 acre in Pleasant Valley Village to Daniel W. Wilson, et al. in Book D-6 at Page 1462; 1.05 acres in Pleasant Valley Village to Robert H. Holcombe, et al. in Book D-6 at Page 1552; one acre to Lisa Joan Canupp, et al. in Book D-6 at Page 2780; one acre to Geraldine Y. Rembert in Book F-6 at Page 302; Lots 26, 27 and 28 of Pleasant Valley Village to David Helms in Book J-6 at Page 73.

LESS that certain 0.279 acre parcel conveyed to James Olin Hawfield, Jr. by Deed dated July 8, 1992, recorded August 2, 1992 in Deed Book W-10 at Page 48 in the Office of the Clerk of Court for Lancaster County, South Carolina.

LESS that certain 2.18 acre parcel conveyed to Stanley H. Smith and Mary L. Smith by Deed dated July 2, 1992 and recorded July 10, 1992 in Deed Book T-10 at Page 289 in the Office of the Clerk of Court for Lancaster County, South Carolina.

Derivation 1: Being a portion of the property devised to Robert L. Barr according to the Last Will and Testament of Lorraine Potts Barr, deceased June 24, 1975, filed in Roll No. 4238, Office of the Probate Court for Lancaster County, South Carolina. See also Deed of Robert B. Wolfe, Jr., et al. to Lorraine P. Barr, et al. dated May 7, 1955 and recorded May 19, 1955 in Deed Book L-4 Page 393, Register of Deeds Office, Lancaster County, South Carolina. See also Deed of Robert L. Barr as Trustee of the Rosa Potts Osborne Trust to Robert L. Barr dated and recorded March 26, 2014 in Deed Book 788 Page 180, Register of Deeds Office, Lancaster County, South Carolina. Derivation 2: Being property described in Deed of Distribution, Estate of Rosa Potts Osborne, Case No. 2011ES2900167, to Leila J. Potts Long and James Barnette Potts, Jr. dated November 25, 2013 and recorded December 2, 2013 in Deed Book 769 Page 167, Register of Deeds Office, Lancaster County, South Carolina.

Tax Map Number 0008-00-014.00

Exhibit 1

EXHIBIT 'B'

Permitted Encumbrances

1. Ad valorem real property taxes for 2014.
2. Miscellaneous Barr and Potts family Rights of Way (general) to Duke Power Company as follows: Deed Book G-3 Page 607; Deed Book I-3 Page 649; Deed Book E-6 Pages 3305, 3306, 3312.
3. Right of Way Agreement for purposes of ingress, egress and regress to and from U.S. Highway 521 dated March 11, 1997 and recorded April 28, 1997 recorded in Deed Book Z-14 Page 49.
4. Right of Way (general) to Duke Power Company recorded in Deed Book Y-4 Page 382.
5. Any taxes assessed under the rollback provisions of §12-43-220 (D-4) South Carolina Code of Laws 1976, as amended.
6. 50' Right of Way for Cedar View Drive.
7. Rights of upper and lower riparian owners in and to the waters of creeks or branches crossing or adjoining the Land, and the natural flow thereof, free from diminution or pollution.

s:\dbr\deed\limitwarPottsHeirsLancasterRealEstate

Indexed By Parcel ID Card #

No Picture Available

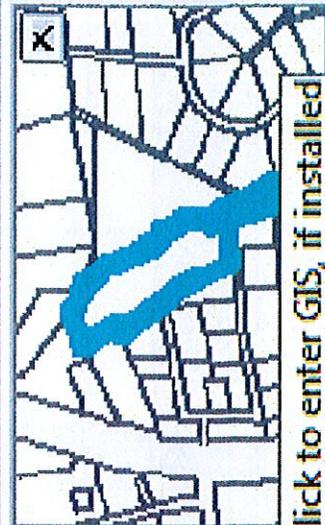


Exhibit 2

No Sketch Available

M Parcel ID: 0008-00-014.00 Card: 1/1
 Account: 905 District: 01 - County
 Sticker #: Ent. Parcel Area: 6.378 - AC
 Location: E/O HWY 521 Lancaster
 Land Use: NLN - LandOnly Neigh: 01 - 01
 Owner #1: LANCASTER REAL ESTATE GROUP LL Own Type:

Market Adj Value	Current	Year 2014	Legal Description
Calc. Land Area:	6.378	6.378	
Full Market Value:	204,200	204,160	
Full Land Value:		204,160	
Building Value:			
Yard Items:			
Land Value:	204,200	778	
Total Value:	204,200	778	
Assessed Value:	12,252	31	
Capped Total:	204,200	204,160	Reval / Market 01

Sales Information
 Grantor: LANCASTER REAL ESTATE
 Sale Price: 0 Validity: 1A
 Sale Date: 9/4/2014 Sold Vacant: No
 Legal Ref: 817-234

Office Notes Notes

Indexed By: Parcel ID: Card #

Add Mod Del Save Cancel

Cost - \$204,200

Parcel ID: 0008-00-014.00 Card: 1 of 1 Location: E/O HWY 521 Lancaster

Current Owner Prior Owner ID/Factors/Taxes

Title	Last Name	First Name	Res ex	% Owin	Type
#1:	LANCASTER REAL ESTATE GROUP LLC				
#2:	% RED VENTURES LLC				
#3:					

Street #1: 1101 521 CORPORATE CENTER DR Fill Home Phone:

Street #2: List Cell Phone:

City/Town: INDIAN LAND Verify Work Phone:

Province/State: SC Postal: 29707-0000 Email:

Country: Account Type: Separate Bill:

D.O.B.: MM/DD/YYYY Legal Reference: 817-234 Valid Owner:

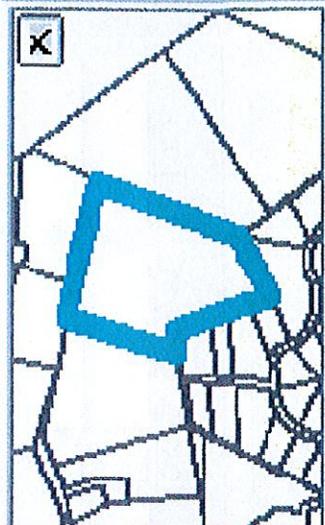
Owner Occupied: Sale Date: 9/4/2014 Owner Lookup Number: 780003 Private Info:

Sales Exemptions More Owners Other Parties

Add Mod Del Save Cancel Indexed By Parcel ID Card #

No Picture Available

M Parcel ID: 0005-00-105.00 Card: 1/1
 Account: 488 District: 01 - County
 Sticker #: Ent. Parcel Area: 20.41 - AC
 Location: POTTS LN Indian Land Neigh: 01 - 01
 Land Use: MLN - LandOnly
 Owner #1: LANCASTER REAL ESTATE GROUP LL Own Type:



Market Adj Value	Current	Year 2014	Legal Description
Calc. Land Area:	20.410	20.410	
Full Market Value:	500,600	500,615	
Full Land Value:		500,615	
Building Value:			
Yard Items:			
Land Value:	500,600	2,490	
Total Value:	500,600	2,490	
Assessed Value:	30,036	100	
Capped Total:	500,600	500,615	Reval / Market 01

Exhibit 2
 No Sketch Available

Sales Information
 Grantor: LANCASTER REAL ESTATE
 Sale Price: 0 Validity: 9L
 Sale Date: 9/4/2014 Sold Vacant: No
 Legal Ref: 817-234

Add Mod Del Save Cancel Indexed By Parcel ID Card #

No Picture Available

M Parcel ID: 0008-00-030.00
 Account: 932
 Sticker #:
 Location: POTTS LN Indian Land
 Land Use: NLN - LandOnly
 Owner #1: LANCASTER REAL ESTATE GROUP LL Own Type:



Market Adj Value	Current	Year 2014	Legal Description
Calc. Land Area:	24,174	24,174	
Full Market Value:	597,500	597,498	
Full Land Value:		597,498	
Building Value:			
Yard Items:			
Land Value:	597,500	2,949	
Total Value:	597,500	2,949	
Assessed Value:	35,850	118	
Capped Total:	597,500	597,498	Reval / Market 01

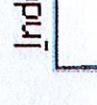
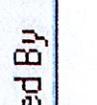
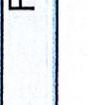
Exhibit 2

No Sketch Available

Sales Information
 Grantor: LANCASTER REAL ESTATE
 Sale Price: 0
 Sale Date: 9/4/2014
 Legal Ref: 817-234
 Validity: 9L
 Sold Vacant: No





Add Mod Del Save Cancel






Parcel ID: 0008-00-030.00 Card: 1 of 1 Location: POTTS LN Indian Land Cost - \$597,500

Current Ownership Prior Owner ID/Factors/Taxes

Title	Last Name	First Name	Res ex	% Own	Type
#1:	LANCASTER REAL ESTATE GROUP LLC		<input type="checkbox"/>		
#2:	% RED VENTURES LLC		<input type="checkbox"/>		
#3:			<input type="checkbox"/>		

Street #1: 1101 521 CORPORATE CENTER DR Fill Home Phone: _____
 Street #2: _____ List Cell Phone: _____
 City/Town: INDIAN LAND Verify Work Phone: _____
 Province/State: SC Postal: 29707-0000 Email: _____
 Country: _____ Account Type: _____
 D.O.B.: MM/DD/YYYY Legal Reference: 817-234
 Owner Occupied: _____ Sale Date: 9/4/2014 Owner Lookup Number: 780003
 Separate Bill: Valid Owner: Private Info:

Sales Exemptions More Owners Other Parties

Add Mod Del Save Cancel

Indexed By _____ Parcel ID _____ Card # _____

No Picture Available

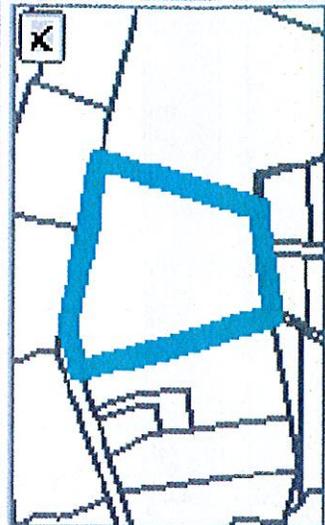


Exhibit 2

No Sketch Available

M Parcel ID: 0005-00-107.00 Card: 1/1

Account: 65253 District: 01 - County

Sticker #: Ent. Parcel Area: 12.999 - AC

Location: POTTS LN Indian Land Neigh: 01 - 01

Land Use: NLN - LandOnly

M Owner #1: LANCASTER REAL ESTATE GROUP LL Own Type:

Market Adj Value	Current	Year 2014	Legal Description
Calc. Land Area:	12.999		
Full Market Value:	260,200	260,153	
Full Land Value:		260,153	
Building Value:			
Yard Items:			
Land Value:	260,200	1,586	
Total Value:	260,200	1,586	
Assessed Value:	15,612	63	
Capped Total:	260,200	260,153	Reval / Market 01

Sales Information

Grantor: LANCASTER REAL ESTATE Validity: 9L

Sale Price: 0

Sale Date: 9/4/2014 Sold/Vacant: No

Legal Ref: 817-234

Office Notes Notes

Indexed By: Parcel ID: Card #:

Parcel ID: 0005-00-107.00 Card: 1 of 1 Location: POTTS LN Indian Land Cost - \$260,200

Current Owner | Prior Owner | ID/Factors/Taxes

Current Ownership

Title	Last Name	First Name	Res ex	% Ow	Type
#1:	LANCASTER REAL ESTATE GROUP LLC		<input type="checkbox"/>	<input type="checkbox"/>	
#2:	% RED VENTURES LLC		<input type="checkbox"/>	<input type="checkbox"/>	
#3:			<input type="checkbox"/>	<input type="checkbox"/>	

Street #1: 1101 521 CORPORATE CENTER DR Home Phone:
 Street #2: Cell Phone:
 City/Town: INDIAN LAND Work Phone:
 Province/State: SC Postal: 29707-0000 Email:
 Country: Account Type: Separate Bill:
 D.O.B.: MM/DD/YYYY Legal Reference: 817-234 Valid Owner:
 Owner Occupied: Sale Date: 9/4/2014 Owner Lookup Number: 780003 Private Info:

4/9/2015 4:09 PM Ownership Information 65253

Add Mod Del Save Cancel

Indexed By _____ Parcel ID _____ Card # _____

No Picture Available

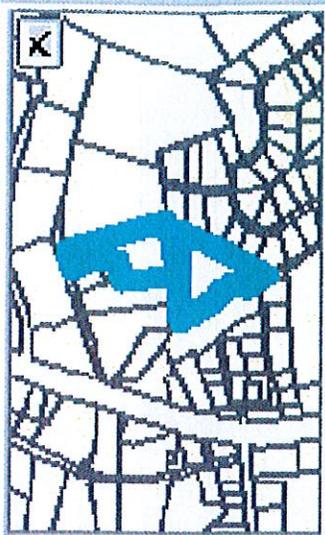


Exhibit 2
No Skete Available

M Parcel ID: 0005-00-108.00 Card: 1/1
 Account: 65254 District: 01 - County
 Sticker #: Ent. Parcel Area: 13.09 - AC
 Location: POTTS LN Indian Land Neigh: 01 - 01
 Land Use: NLN - LandOnly
 Owner #1: LANCASTER REAL ESTATE GROUP LL Own Type:

Market Adj Value	Current	Year 2014	Legal Description
Calc. Land Area:	13.090	13.090	
Full Market Value:	262,200	262,206	
Full Land Value:		262,206	
Building Value:			
Yard Items:			
Land Value:	262,200	1,597	
Total Value:	262,200	1,597	
Assessed Value:	15,732	64	
Capped Total:	262,200	262,206	Reval / Market 01

Sales Information
 Grantor: LANCASTER REAL ESTATE Validity: 9L
 Sale Price: 0
 Sale Date: 9/4/2014 Sold Vacant: No
 Legal Ref: 817-234

Office Notes Notes

Add Mod Del Save Cancel
 Indexed By Parcel ID Card #

Parcel ID: 0005-00-108.00 Card: 1 of 1 Location: POTTS LN Indian Land Cost - \$262,200

Current Owner | Prior Owner | ID/Factors/Taxes

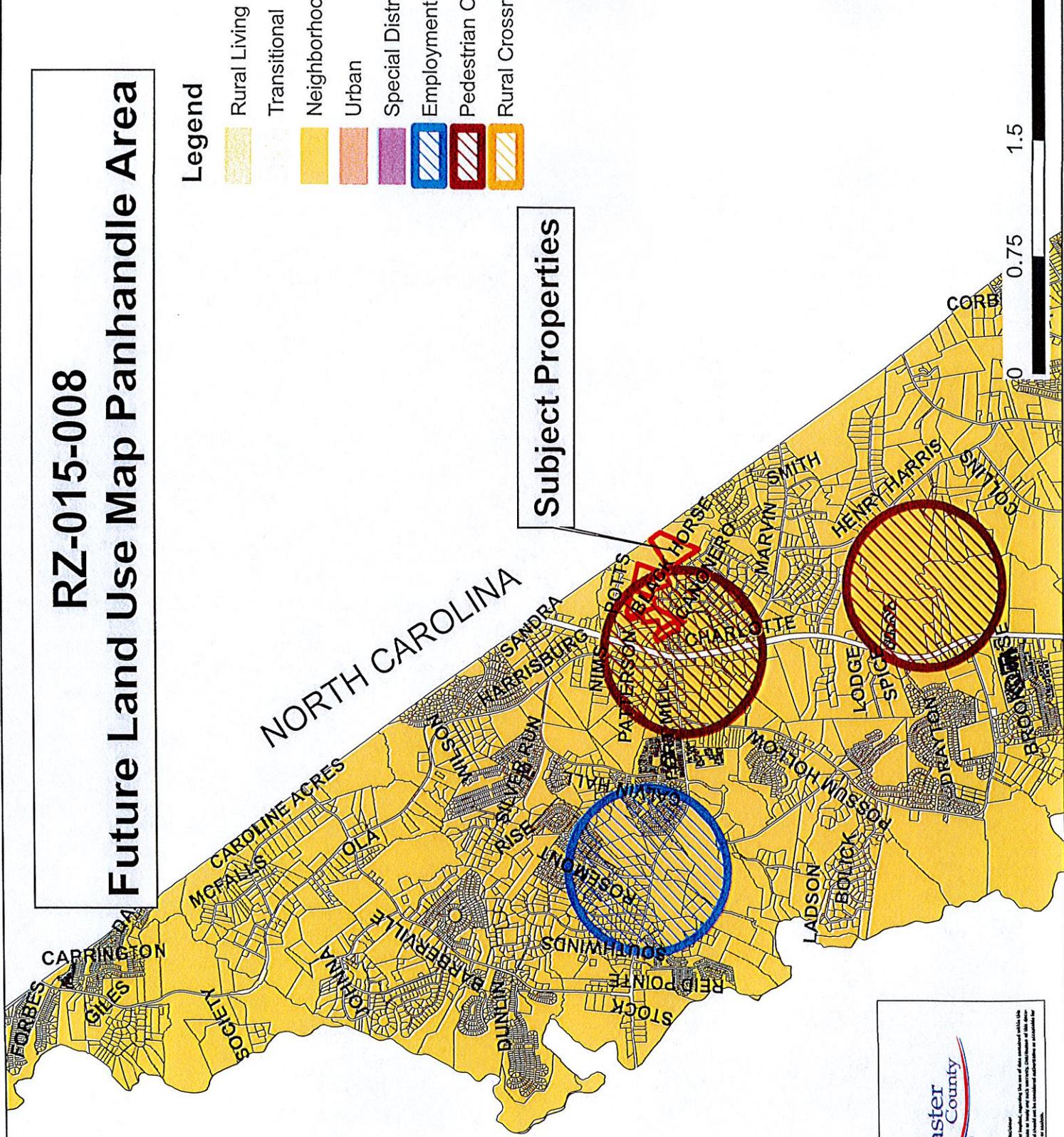
Title	Last Name	First Name	Res ex	% Own	Type
#1:	LANCASTER REAL ESTATE GROUP LLC		<input type="checkbox"/>		
#2:	% RED VENTURES LLC		<input type="checkbox"/>		
#3:			<input type="checkbox"/>		

Street #1: 1101 521 CORPORATE CENTER DR Fill Home Phone:
 Street #2: List Cell Phone:
 City/Town: INDIAN LAND Verify Work Phone:
 Province/State: SC Postal: 29707-0000 Email:

Country: Account Type: Separate Bill:
 D.O.B.: MM/DD/YYYY Legal Reference: 817-234 Valid Owner:
 Owner Occupied: Sale Date: 9/4/2014 Owner Lookup Number: 78003 Private Info:

Sales Exemptions More Owners Other Parties

RZ-015-008 Future Land Use Map Panhandle Area



Legend

-  Rural Living
-  Transitional
-  Neighborhood Mixed Use
-  Urban
-  Special District - Industrial
-  Employment Center
-  Pedestrian Center
-  Rural Crossroads

Subject Properties



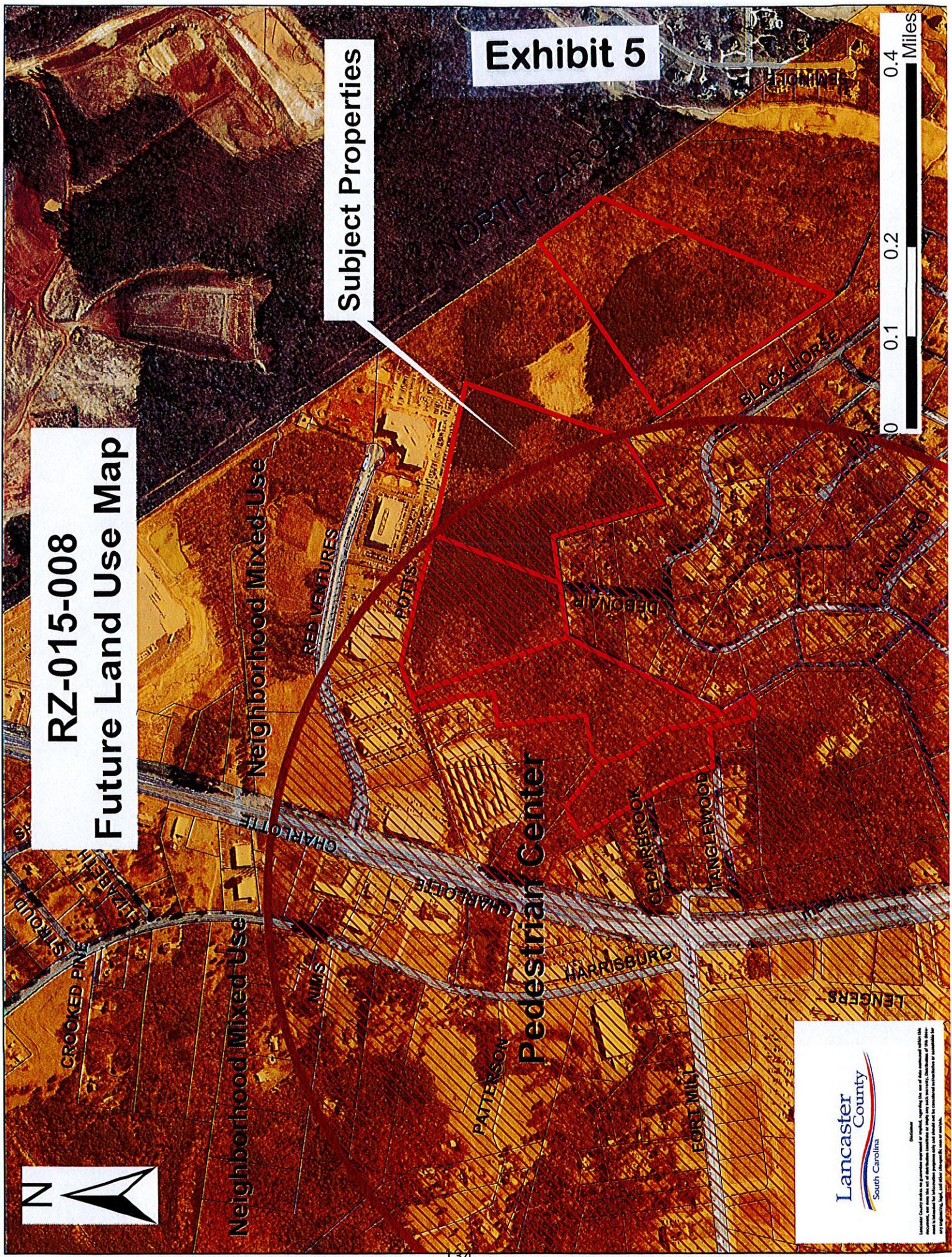
Disclaimer:
Lancaster County makes no guarantee or warranty of any kind, regarding the use of this information with the exception of the use of this information for the purpose of the land use map. The information is provided for informational purposes only and does not constitute an offer of any kind. The information is provided for informational purposes only and does not constitute an offer of any kind. The information is provided for informational purposes only and does not constitute an offer of any kind.



RZ-015-008 Future Land Use Map

Subject Properties

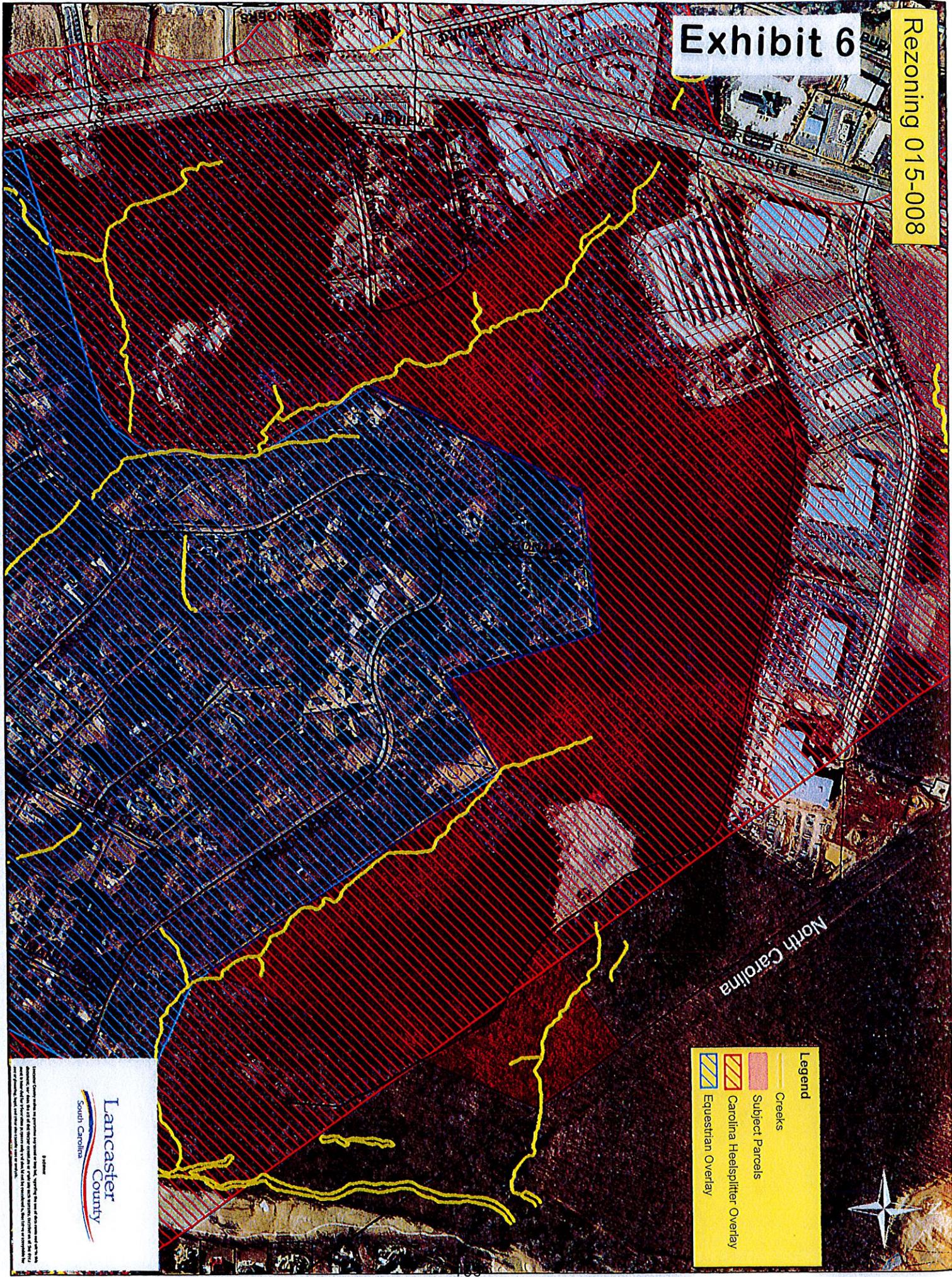
Exhibit 5



Lancaster County
South Carolina

Disclaimer:
Lancaster County makes no guarantee as to the accuracy or completeness of the information shown on this map. The information is provided for informational purposes only and should not be used for any legal or financial purposes. The information is provided for informational purposes only and should not be used for any legal or financial purposes.

Exhibit 6



Legend

- Subject Parcels
- Equestrian Overlay
- Creeks
- Carolina Heelsplitter Overlay

Lancaster County
South Carolina

Lancaster County is an equal opportunity and affirmative action employer. The County does not discriminate in employment on the basis of race, sex, color, religion, national origin, or ancestry. Any person who believes they have been discriminated against in employment by the County should contact the County Administrator, 100 North Carolina Street, Lancaster, SC 29026, or call (803) 781-1234.

BUSINESS B-3 / UPDATED 1/22/07

USES PERMITTED:

1. Bed and Breakfast
3. Service – Agricultural Service Facility
4. Veterinary Service w/outdoor pens
5. Veterinary Service w/indoor pens – Animal Hospital, Veterinarian Office/Clinic, Veterinary Testing Labs
6. Pedigree Record Services
7. Commercial Kennels w/indoor pens
8. Commercial Kennels w/outdoor pens
9. Farm Labor and Management Service
10. Landscape and Horticultural Service
11. Liquor Stores
12. *Retail Store, any size*
13. Paint, Glass or Wallpaper Store
14. Hardware Store
15. Retail Nurseries, Lawn and Garden Supply Store
16. Manufactured Home Dealer
17. Retail Trade Store/Center – General Merchandise – Large Scale
18. Retail Store-Food (Including Grocery Stores)
19. Open Air Market (farm, crafts, produce),etc.)
20. Motor Vehicles Dealer (new and/or used)
21. Auto Supply Store
22. Boat and Marine Supplies Dealer
23. Recreation Vehicle Dealer
24. Motorcycle Dealer
25. Automobile Dealers, not elsewhere classified
26. Retail Store – General – Small Scale (i.e.) Clothing, Shoe, Antiques
27. Retail Store – Home Furniture, Furnishings and Appliances
28. Bars and Taverns *and nightclubs*
29. Nightclubs with alcohol
30. Restaurants
31. Fast Food with drive through window
32. Car Wash (Full Service)
33. Car Wash (Self Service)
34. Convenience Store with Fuel
35. Convenience Store without Fuel
36. Office/Banks, Savings & Loans and Credit Unions
37. *Office, General and Medical*
38. Hotels and Motels (Except Casino Hotels)
39. Travel Arrangement and Reservation Services
40. Freight Transportation Arrangement Agency
41. Miscellaneous Incidental Transportation Service
42. Personal and Laundry Services

BUSINESS B-3 / UPDATED 1/22/07

43. Florist Shop
44. Funeral Service and Crematories
45. Automotive Rental and Leasing Agency
46. Automobile Parking
47. Automotive Service (except repair)
48. Miscellaneous Repair Services
49. Drive-In *and* Movie Theater
50. Motion Picture Production and/or Distribution Services
51. Motion Picture Theater
52. Video Tape Rental Store
53. Amusement and Recreation Facilities (Non-Public)
54. Offices and Clinics of Doctors, Dentists, & Other Health Practitioners
55. Nursing and Personal Care Facility
56. Medical or Dental Laboratory
57. Miscellaneous Health or Allied Service
58. Building Construction – General Contractors Facility (no outdoor storage)
59. Construction – Special Trade Contractors
60. Durable Goods – Wholesale/Distribution Facility
61. Nondurable Goods – Wholesale/Distribution Facility
62. Museums and Art Galleries
63. Job Training and Vocational Rehabilitation Service
64. Child Day Care Service or Facility
65. Adult Day Care Service or Facility
66. Residential Care Service or Facility (i.e.) Children’s Home, Halfway House
67. Intermediate Care Institution
68. Nursing Care Institution
69. Membership Organization Facilities (i.e.) Business, Civic, Social, *Lodge*
70. Religious Institution
71. Taxi Company Facility
72. Intercity and Rural Bus Transportation Facility
73. Charter Bus Service Facility
74. Independent Motor Vehicle Terminal, Service, or Maintenance Facility
75. Trucking and Courier Service Facility (except air)
76. Motor Freight Transportation Terminal and Maintenance Facility
77. Telephone Communications Facilities
78. Telegraph or Other Message Communications Facilities
79. Radio or Television Broadcasting Facilities
80. Cable or Other Pay Television Facilities
81. Park or Playground
82. Recreation Facility (except golf courses)
83. Golf Course (public or membership)
84. Botanical or Zoological Garden
85. Cemetery/Mausoleum
86. Other Designated Community Open Space Area

BUSINESS B-3 / UPDATED 1/22/07

87. Livestock Facility (except Commercial Meat Production Centers)
88. General Agricultural Activities (i.e.) general row crop production, free-range livestock operations, pasture land, hay land, woodland and wildlife management areas
89. Forest Production – Including Christmas Trees
90. *Dealerships; Vehicle (new-used), Boat, Marine, RV, Motorcycle and Manufactured Home*
91. *Art Galleries*
92. *Open Space (except golf courses); parks, recreation facilities, botanical and zoological, cemeteries, etc.*

CONDITIONAL USES:

1. Site Built Single-Family Detached House
2. Modular Single-Family Detached House (Meets CABO Building Code)
3. Temporary Dependent Care Residences
4. Temporary emergency, construction, and repair residence
5. Temporary Structure used in connection with the construction of a Permanent building or for some non-recurring purpose
6. Home Occupation
7. Manufactured Home Storage Lot
8. Gasoline Service Station
9. Automotive Repair Shop
10. Manufacturing of Hi-Tech Products
11. Mini-Warehouse Facilities
12. Recycling Facilities, Convenience Centers and Resource Recovery Facilities
13. Wireless Communication Towers (i.e. Cellular Communications)
14. Nature Preserve or Wildlife Sanctuary
15. Deer Processing

USES REQUIRING REVIEW BY BOARD OF ZONING APPEALS:

1. Special Events
2. Motorized Race and Testing Tracks
3. Chemical Dependency Treatment Center
4. Recoverable Waste Collection and Recycling Centers

USES REQUIRING REVIEW BY PLANNING COMMISSION:

1. Hospital
2. United States Postal Service Facility
3. Elementary or Secondary School
4. College, University or Professional School
5. Library
6. Vocational School

7. **Schools and Educational Service Facility (not elsewhere classified)**
8. **Coliseum, Stadium, or Arena designed for capacity greater than 1000 people**
9. **Government Offices**
10. **Courthouse**
11. **Police Station**
12. **Fire Station**
13. **Ambulance Service/Rescue Squad**
14. **Detention Center**
15. **Other Public Order and Safety Facility**
16. **School Bus Facility**
17. **Electricity, Water, Sewer, and Petroleum Distribution/Collection Facilities and Services**