Ordinance (2008) 521 ZC 630
Effective: January 6, 2009

Z-42-08 – Brier Creek Parkway, located on the northeast quadrant of the intersection of Brier Creek Parkway and Arco Corporate Drive, being Wake County PIN 0768-46-3694. Approximately 1.1 acres rezoned to Shopping Center Conditional Use District.

Conditions: 12/09/08

Narrative of conditions being requested:

As used herein, the "Property" refers to that certain tract or parcel of land containing approximately 1.1 acres located at the northeast quadrant of the intersection of Brier Creek Parkway and Arco Corporate Drive, and having Wake County PIN 0768-46-3694.

(a) The following uses shall be prohibited upon the Property:

- landfill
- adult establishment
- airfield, landing strip, or heliport
- emergency shelter type B
- riding stable

(b) Prior to the issuance of a building permit or recording of any plats, whichever shall first occur, the owner of the Property shall cause to be dedicated to the City of Raleigh and/or North Carolina Department of Transportation right-of-way and slope easements adjacent to existing Brier Creek Parkway consistent with Exhibit C-1 attached hereto. The right-of-way to be dedicated pursuant to this condition shall be a variable width right-of-way that is approximately eleven feet (11') wide at the north easternmost portion of the Property tapering down to zero feet (0') at the Property's common boundary with the intersection of Arco Corporate Drive and Brier Creek Parkway, with the final location and bounds of such right-of-way to be determined at the time of site plan approval.

(c) Prior to lot recordation of the issuance of any building permit, whichever shall first occur, the owner of the Property shall deed to the City a transit easement measuring twenty (20) feet long adjacent to Brier Creek Parkway by fifteen (15) feet wide adjacent to the public right-of-way to support a bus stop for current transit services in the area. The location of the transit easement shall be approved by the Transit Division of the City arid the City Attorney or his designee shall approve the transit easement deed prior to recordation in the Wake County Registry.

(d) If requested by the City at the time of site plan review, the owner of the Property shall construct a bench and shelter in association with the transit easement described in Condition (c) hereof. The design of the shelter shall be mutually agreed to by the owner of the Property and the City.

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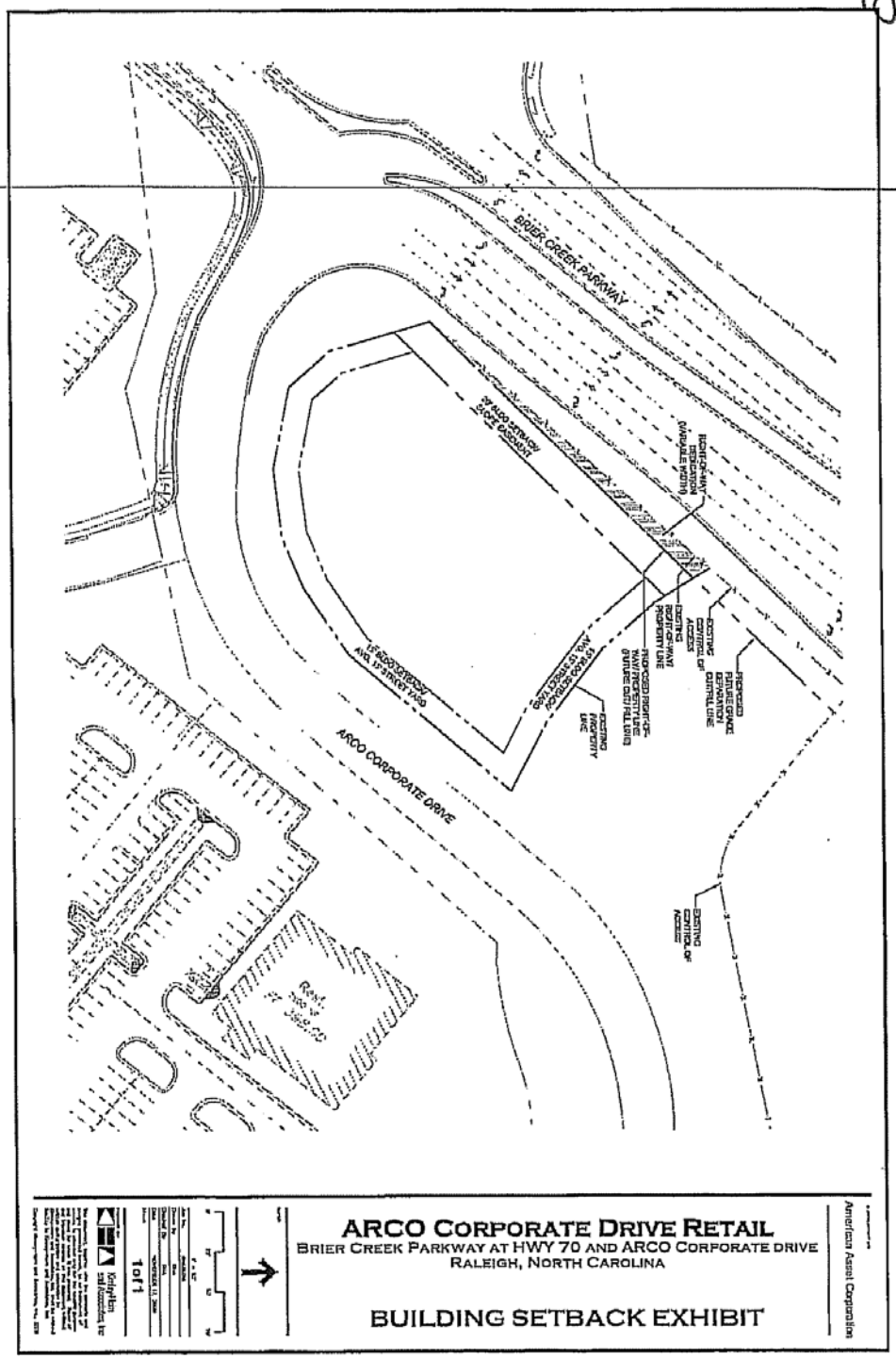

ARCO CORPORATE DRIVE RETAIL
BRIER CREEK PARKWAY AT HWY 70 AND ARCO CORPORATE DRIVE
RALEIGH, NORTH CAROLINA

BUILDING SETBACK EXHIBIT

American Asset Corporation

1 of 1

Kimley-Horn