

ORANGE COUNTY

NORTH CAROLINA

SPECIAL USE PERMIT

KNOW ALL MEN BY THESE PRESENT, that the undersigned property owner(s)
Alderman 250

having applied to the Town of Chapel Hill for a Special Use Permit for the use and development of the property hereinafter described, the same was granted by the Town of Chapel Hill on October 7, 1974, the terms of which are as follows:

NAME OF PROJECT: Eastgate AMOCO Service Station

TYPE OF SPECIAL USE: Automobile Service Station

NAME OF DEVELOPER: AMOCO Oil Company

DESCRIPTION OF PREMISES

LOCATION: U.S. 15-501A at Eastgate Shopping Center Entrance

TAX MAP REFERENCE: Map 45, Block C, Part of Lot 3

AREA OF PROPERTY: 19,335.80 sq. ft.

DESCRIPTION OF DEVELOPMENT

NUMBER OF BUILDINGS: one NUMBER OF DWELLING UNITS: N/A

FLOOR AREA: Approx. 1,920 sq. ft. NUMBER OF PARKING SPACES: 9

SPECIAL TERMS AND CONDITIONS.

Refer to plans and drawings approved by Board of Aldermen October 7, 1974. The Special Use Permit with variances from the following sections of the Zoning Ordinance: 4-C-2-c-(1), 4-C-2-f, 4-C-2-g, 4-C-2-h-(4), 4-C-2-e-(1), 4-C-2-e-(2), 4-C-2-h-(2), and 7-15-b is granted subject to the following stipulations:

1. That a landscape plan be submitted to and approved by the Community Appearance Commission prior to issuance of a Building Permit.
2. That all improvements, utilities and facilities be installed as approved by the Town Manager, the University Service Plants, and the N.C. Department of Transportation and Highway Safety.
3. That, to comply with the spirit and intent of Sec. 4-C-2-h-(4), no merchandise shall be offered for sale, lease, rental, or promotion; nor displayed or stored; nor shall any other business be conducted, except for the dispensing of gasoline or other motor fuel or motor oil and for routine servicing of vehicles at the gasoline pump; except in an area formed by the "left elevation" of the service station building, the eastern property line, the southern property line, the "front elevation" and an extension of the front building line to the southern property line.
4. That the site plan be revised, and filed with the Town prior to issuance of a Building Permit, to show all items required by stipulations.
5. That the form of the existing building be maintained in the remodeled building.
6. That the "straight line" pump island canopy be consistent in form with the remodeled building.
7. That the exterior lighting be of a contemporary design and consistent with the form of the remodeled building.
8. That AMOCO request permission from the State Highway Department to plant a minimum of four street trees, of types to be approved by Town Manager, to be placed within the State's 60' green belt located within the southern right-of-way of U.S. 15-501 (Franklin Street) but outside of the required lines of sight. This is in lieu of the screening requirement removed by variances 4-C-2-e-(1) and 4-C-2-e-(2). AMOCO shall counsel with its tenant-proprietor for maintenance of said trees during the period of its lease.
9. That all mechanical equipment, whether installed prior to or subsequent to issuance of the Certificate of Occupancy shall be screened from view from public rights-of-way.
10. That the construction area shall be maintained in a neat, clean, and orderly manner, including weekly removal of construction debris.
11. That the final design of the building be submitted to and approved by the Community Appearance Commission prior to issuance of a Building Permit.
12. That construction begin by October 7, 1975 and be completed by October 7, 1976.

#311

NORTH CAROLINA
ORANGE COUNTY

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IN WITNESS WHEREOF, the Town of Chapel Hill has caused this instrument to be executed in its name as evidence of the issuance of said permit, and the undersigned being all of the property owners of the property above described, have executed this instrument in evidence of their acceptance of said Special Use Permit as a covenant running with the land.

ATTEST

David B. Roberts
Town Clerk

The Town of Chapel Hill

By Chester Kendzior, Jr.
Town Manager

ACCEPTED

ALDERMAN 250 CORPORATION (Seal)
Owner

(Seal)
Owner

ATTEST

Dorothy B. Renn
Secretary, Dorothy B. Renn

ALDERMAN 250 CORPORATION
Corporate Name
By John H. Nelson
Title, John H. Nelson, Vice President

NORTH CAROLINA
ORANGE COUNTY

I, Sandra W. Stewart, a Notary Public in and for said County and State, do hereby certify that Chester Kendzior, Jr., Town Manager of the Town of Chapel Hill, and David E. Roberts, Town Clerk, Town of Chapel Hill, personally came before me this day and being by me duly sworn says each for himself that he knows the corporate seal of the Town of Chapel Hill and that the seal affixed to the foregoing instrument is the corporate seal of the Town of Chapel Hill, that Chester Kendzior, Jr., Town Manager of said Town of Chapel Hill, and David E. Roberts, Town Clerk for the Town of Chapel Hill, subscribed their names thereto; that the corporate seal of the Town of Chapel Hill was affixed thereto, all by virtue of a resolution of the Board of Aldermen, and that said instrument is the act and deed of the Town of Chapel Hill.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this the 6th day of November, 1974.

Sandra W. Stewart
Notary Public
My commission expires: August 28, 1977

NORTH CAROLINA
ORANGE COUNTY

I, _____, a Notary Public in and for said State and County do hereby certify that _____, Owners, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my Hand and Notarial Seal, this the ___ day of _____, 19__.

Notary Public
My commission expires: _____

VIRGINIA

ALBEMARLE COUNTY

This 18th day of November, 1974, personally came before me, Luille Jooley, a Notary Public in and for said State and County, Dorothy B. Renn, who by me being duly sworn, says that she knows the common seal of the ALDERMAN 250 CORPORATION, and is acquainted with JOHN H. NELSON, who is Vice President of said corporation, and she DOROTHY B. RENN, who is Secretary of said corporation, and saw the said Vice President sign the foregoing instrument and that she, DOROTHY B. RENN, Secretary as aforesaid, affixed said seal to said instrument, and she, the said Secretary, signed her name in attestation of execution of said instrument in the presence of said Vice President of said Corporation.

Witness my Hand and Notarial Seal, this the 18th day of November, 1974.

Luille Jooley
Notary Public
My Commission Expires: Nov. 1, 1975