

VARIANCE OR APPEAL APPLICATION



TOWN OF CHAPEL HILL

Planning Department

405 Martin Luther King Jr. Blvd

phone (919) 968-2728 fax (919) 969-2014

www.townofchapelhill.org

Parcel Identifier Number (PIN): 9880226448

Date: 9/7/2021

Section A: Project Information

Project Name:

Property Address: 103 New Parkside Drive

Zip Code: 27516

Existing Zoning District:

R-2

Project Description:

STR use

Section B: Applicant, Owner and/or Contract Purchaser Information

Applicant Information (to whom correspondence will be mailed)

Name: Randy Herman

Address: PO Box 90426

City: Raleigh

State: NC

Zip Code: 27675

Phone: 919-825-1250

Email: RHERMAN@BAFOLK.COM

The undersigned applicant hereby certifies that, to the best of his knowledge and belief, all information supplied with this application is true and accurate.

Signature:

Randy Herman

Date: 9/7/2021

DFD0D412E400403...

Owner/Contract Purchaser Information:

Owner

Contract Purchaser

Name: Joe Valentine

Address: 2206 Vero Beach Ln

City: West Palm Beach

State: FL

Zip Code: 33411

Phone:

Email:

The undersigned applicant hereby certifies that, to the best of his knowledge and belief, all information supplied with this application is true and accurate.

Signature:

JOE VALENTINE

Date: 9/7/2021

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**VARIANCE OR APPEAL APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department**

Variances and Appeals may be granted by the Board of Adjustment for dimensional regulations, water and sewer regulations, steep slope regulations, house size limitations, Resource Conservation District regulations, Jordan Buffer regulations, and Watershed Protection District regulations. The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department (Planning) at (919)968-2728 or at planning@townofchapelhill.org. For detailed information, please refer to the Description of Detailed Information handout.

<input type="checkbox"/>	Application fee (refer to fee schedule)	Amount Paid \$ <input type="text"/>
<input type="checkbox"/>	Digital Files - provide digital files of all plans and documents	
<input type="checkbox"/>	Mailing list of owners of property within 1,000 feet perimeter of subject property (see GIS notification tool)	
<input type="checkbox"/>	Mailing fee for above mailing list	Amount Paid \$ <input type="text"/>
<input type="checkbox"/>	Written Narrative describing the proposal	
<input type="checkbox"/>	Statement of Justification – see below for additional information	
<input type="checkbox"/>	Recorded Plat or Deed of Property	
<input type="checkbox"/>	Stream Determination - necessary for all submittals	
<input type="checkbox"/>	Jurisdictional Wetland Determination – if applicable	
<input type="checkbox"/>	Reduced Site Plan Set (reduced to 8.5"x11")	

Type of Variance or Appeal (Choose one of the following):

Dimensional Variance **Water and Sewer Variance** **Steep Slope Variance**

Statement of Justification: Respond to parts 1-7 of Subsection 4.12.2(a) of the Land Use Management Ordinance

House Size Variance

Statement of Justification: Respond to parts 1-7 of Subsection 4.12.2(b) of the Land Use Management Ordinance

Resource Conservation District Variance

Statement of Justification: Respond to parts A-I of Subsection 3.6.3(j)(4) of the Land Use Management Ordinance

Jordan Watershed Riparian Buffer Variance

Statement of Justification: Respond to parts A-C of Subsection 5.18.8(d)(1) of the Land Use Management Ordinance

Watershed Protection District Variance

Statement of Justification: Respond to parts 1-4 of Subsection 3.6.4(h)(2) of the Land Use Management Ordinance

Appeal

Standing: Explain to the Board how the applicant is an aggrieved party (NC General Statute Sec. 160A-388(b1)(1))

Statement of Justification: Provide justification for decision that is being appealed



**VARIANCE OR APPEAL APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department**

Plan Sets (20 copies to be submitted no larger than 24"x36")

Plans should be legible and clearly drawn. All plan sets sheets should include the following:

- Project Name
- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property Boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks
- Streams, RCD Boundary, Jordan Riparian Buffer Boundary, Floodplain, and Wetlands Boundary, where applicable



Area Map

- a) Overlay Districts
- b) 1,000 foot notification boundary



Detailed Site Plan



BA | FOLK

Randy Herman
PO Box 90426
Raleigh, NC 27676
(o) 919.825.1250
(f) 919.882.8297
rherman@bafolk.com

September __, 2021

TOWN OF CHAPEL HILL
Planning Department
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514-5705

STATEMENT OF JUSTIFICATION

This Statement of Justification is provided in support of the appeal of Joe Valentine of a zoning opinion letter dated September 1, 2021.

In the zoning opinion letter signed by Senior Planner Anya Grahn, the conclusion is stated as follows: “Staff finds that the use of the house at 103 New Park Side Drive as dedicated STRs is not a legal nonconforming use as the short-term rental use was not expressly listed in the LUMO and was thus prohibited by the LUMO prior to the short-term rental ordinance of June 23, 2021.”

This position is squarely foreclosed by the North Carolina Supreme Court’s opinion in *Byrd v. Franklin Cnty.*, 778 S.E.2d 268 (N.C. 2015). In that case, Franklin County similarly had a Unified Development Ordinance (UDO) which stated that “[u]ses not specifically listed in the Table of Permitted Uses are prohibited.” Our Supreme Court held that “the UDO’s provision prohibiting all uses not explicitly allowed in the ordinance is in derogation of the common law and is without legal effect.”

Similarly here, the provision in LUMO 3.7.1 that “Uses of land or structures which are not expressly listed in section 3.7.2 as permitted principal uses, permitted accessory uses, permitted uses in a conditional zoning district, or permitted special uses in a zoning district or planned development are prohibited uses and shall not be established in that district or planned development” is without legal effect. It therefore cannot be relied on by the Town as a basis for denying nonconforming use status.

If you have any questions, please feel free to contact me using the information above.

Sincerely,

Randy Herman
Attorney



TOWN OF CHAPEL HILL
Planning Department
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514-5705
phone (919) 969.2728
www.townofchapelhill.org

September 1, 2021

Joe Valentine
103 New Parkside Drive
Chapel Hill, NC 27516

Subject: Zoning Opinion Letter – 103 New Parkside Drive (PIN: 9880226448)

Dear Mr. Valentine,

I have received your request for non-conforming use determination or zoning opinion for 103 New Parkside Drive. This property is currently zoned [Residential-2 \(R-2\)](#)¹, with permitted uses as delineated in the [Chapel Hill Land Use Management Ordinance \(LUMO\) Section 3.7](#)².

The lot was created in 1999 as part of the Parkside Cluster Subdivision – Phase V. According to Orange County records, the house was built in 1999. At the time of its construction, single family dwelling units were a permitted use in the R-2 zoning district.

Per the applicant's testimony, he began to rent the house out as a short-term rental in 2016. At that time, the Land Use Management Ordinance (LUMO) did not recognize short-term rentals as a defined use. Further, [LUMO 3.7.1 Permitted, Special and Accessory Uses](#) states:

Uses of land or structures which are not expressly listed in section 3.7.2 as permitted principal uses, permitted accessory uses, permitted uses in a conditional zoning district, or permitted special uses in a zoning district or planned development are prohibited uses and shall not be established in that district or planned development. Bona fide farms in areas outside of Chapel Hill's municipal boundaries, but within Chapel Hill's transition and extra territorial jurisdiction area as defined in the joint planning agreement with Orange County, shall not be subject to these use regulations, as provided by N.C. General Statutes 160D-903(c).

On June 23, 2021, the Town of Chapel Hill adopted [Ordinance-9 \(2021-06-23/O-9\)](#)³ allowing for primary residence and dedicated short-term rentals (STRs) in specified zoning districts. These are defined as:

Short-term rental (STR), dedicated: A residential dwelling unit(s) located on a property not used as a primary residence in which the dwelling unit is rented in whole or in part for fewer than thirty (30) consecutive days for a fee or other valuable consideration, or a lodging unit contained in a building that primarily contains dwelling units.

Short-term rental (STR), primary residence: A primary residence rented in whole or in part for fewer than thirty (30) consecutive days for a fee or other valuable consideration.

¹https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA_ART3ZODIUSDIST_3.2ZOAT

²https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA_ART3ZODIUSDIST_3.7USRE

³<https://chapelhill.legistar.com/View.ashx?M=F&ID=9550819&GUID=8B1B14B2-E9B3-4400-A3D9-4BE28BA68C03>

A primary residence is defined as one in which the owner or STR host resides a majority of the year (183 days per year or 50% or more of the time).

The ordinance was effective immediately and permits only primary residence STRs in the Residential-2 (R-2) zoning district. The ordinance also states, “Any existing STR that is not a permitted use under section 3.7 shall nevertheless be allowed to continue operating as a short-term rental for eighteen months after the effective date of this ordinance, provided its continued operation on or after December 23, 2022, shall be in violation of the LUMO.”

Per [Land Use Management Ordinance \(LUMO\) 7.3.1](#), “A nonconforming use is a use of land, buildings, or structures that was lawfully established (or for which a vested right had been established) on a property prior to the effective date of current use regulations, but does not conform to use regulations of article 3 for the zoning district in which it is located.”⁴ Staff finds that the use of the house at 103 New Park Side Drive as dedicated STRs is not a legal nonconforming use as the short-term rental use was not expressly listed in the LUMO and was thus prohibited by the LUMO prior to the short-term rental ordinance of June 23, 2021.

Staff determinations may be appealed to the Board of Adjustment following the procedures outlined in [LUMO 4.10](#)⁵.

Please feel free to contact me at 969-5059 if you have further questions.

Sincerely,



Anya Grahn
Senior Planner

CC: Colleen Willger, Chapel Hill Planning Director

Attachments:

1. Joe Valentine Zoning Opinion Letter Request
2. 1998 Development Ordinance – Article 2 and Schedule of Uses
3. Parkside Cluster Subdivision

⁴ https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA_ART7NO_7.4NOFE

⁵ https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA_ART4PR_4.10AP

MADDRY JUDY B	1580 MARTIN LUTHER KING JR BLVD	CHAPEL HILL	NC	275141600
KWOK JOHN	457 NICHOLAS DR	MOUNTAIN VIEW	CA	94043
JIN GENGLIN	402 SOMERSVIEW DR	CHAPEL HILL	NC	27514
NAKAMURA KAZUHIRO	103 ADRIANS PL	CHAPEL HILL	NC	275146668
HU DIANYOU	101 ADRIANS PL	CHAPEL HILL	NC	27514
ZENG QINGZHAO	204 BLACK TIE LN	CHAPEL HILL	NC	27514
MITCHELL MARK B	212 BLACK TIE LANE	CHAPEL HILL	NC	27514
OSTBYE TRULS	210 BLACK TIE LANE	CHAPEL HILL	NC	275146656
WINDSOR PARK LAND MANAGEMENT LLC	6320 QUADRANGLE DR #360	CHAPEL HILL	NC	27514
SONG LIXIN	400 BLACK TIE LN	Chapel Hill	NC	27514
MORGENROTH PEILAN	300 BLACK TIE LN	CHAPEL HILL	NC	275146658
WINDSOR PARK LAND MANAGEMENT LLC	6320 QUADRANGLE DR #360	CHAPEL HILL	NC	27514
JORDT SVEN	216 BLACK TIE LN	CHAPEL HILL	NC	27514
GAO FENG	218 BLACK TIE LN	CHAPEL HILL	NC	27514
APEL ISABELLE G TRUSTEE	214 BLACK TIE LN	CHAPEL HILL	NC	27514
MOUKWA MOSONGO	203 BLACK TIE LANE	CHAPEL HILL	NC	27514
WINDSOR PARK LAND MANAGEMENT LLC	6320 QUADRANGLE DR #360	CHAPEL HILL	NC	27514
LIN JIN KUN	206 BLACK TIE LN	CHAPEL HILL	NC	27514
WU MARVIN	100 CLARIS CT	CHAPEL HILL	NC	27514
BUI KHIEM D	101 CLARIS CT	CHAPEL HILL	NC	275146669
MANI NANDITA	211 BLACK TIE LN	CHAPEL HILL	NC	27514
DIXON WILLIE O IV	3403 SHADY CREEK DR	DURHAM	NC	27713
COUTINHO GEORGE	209 BLACK TIE LN	CHAPEL HILL	NC	27514
LEE WILLIAM T	205 BLACK TIE LN	CHAPEL HILL	NC	27514
DICKINSON DAVID T	201 BLACK TIE LN	CHAPEL HILL	NC	27514
LAUTERBACH KAREN E	102 CLARIS CT	CHAPEL HILL	NC	27514
CAI LING	302 BLACK TIE LN	CHAPEL HILL	NC	27514
DUAN HONGZHE	103 CLARIS CT	CHAPEL HILL	NC	27516
WINDSOR PARK LAND MANAGEMENT LLC	6320 QUADRANGLE DR #360	CHAPEL HILL	NC	27514
WINDSOR PARK LAND MANAGEMENT LLC	6320 QUADRANGLE DR #360	CHAPEL HILL	NC	27514
BALASUBRAMANIAN SRIDHAR TRUSTEE	104 SOMERSVIEW DR	CHAPEL HILL	NC	27514
SANDHU UPINDER	102 SOMERVIEW DR	CHAPEL HILL	NC	27514
WINDSOR PARK LAND MANAGEMENT LLC	6320 QUADRANGLE DR #360	CHAPEL HILL	NC	27514
LEWIS NOEL A	104 CLARIS CT	CHAPEL HILL	NC	275146669

MADDRY JUDY B	1580 MARTIN LUTHER KING JR BLVD	CHAPEL HILL	NC	275141600
ZHANG MENGSHI	106 CLARIS CT	CHAPEL HILL	NC	27514
ALBARAZANJI KAMAL A	107 CLARIS COURT	CHAPEL HILL	NC	27514
WHITE NATHAN	105 BELLA DR	CHAPEL HILL	NC	27516
JOHNSON RENNY K	203 SOMERSVIEW DR	CHAPEL HILL	NC	275141658
FOLEY MARK E	200 SOMERSVIEW DR	CHAPEL HILL	NC	27514
HSU CARMEN Y	106 SOMERSVIEW DR	CHAPEL HILL	NC	27514
QUAN RU	100 BLACK TIE LN	CHAPEL HILL	NC	27514
WINDSOR PARK LAND MANAGEMENT LLC	6320 QUADRANGLE DR #360	CHAPEL HILL	NC	27514
ALBERT BENJAMIN	201 SOMERSVIEW DR	CHAPEL HILL	NC	27514
TRAN THO V	102 BLACK TIE LN	CHAPEL HILL	NC	275146654
STACKHOUSE MICHAEL	104 BLACK TIE LN	CHAPEL HILL	NC	275146654
CABARGA THOMAS A	107 STATESIDE DR	CHAPEL HILL	NC	275146631
DOBBIN RONALD D	105 STATESIDE DR	CHAPEL HILL	NC	27514
BATTYE WILLIAM H	107 HIGHLAND DR	CHAPEL HILL	NC	275146624
BIAO ZHOU TRUST	204 BLACK TIE LN	CHAPEL HILL	NC	27514
DAI HONGPING	202 BLACK TIE LN	CHAPEL HILL	NC	275146656
NICKELL DEBORAH B	102 DIXIE DR	CHAPEL HILL	NC	27514
NEFF JADEE	104 DIXIE DR	Chapel Hill	NC	27514
BELL DARREN L	200 BLACK TIE LN	CHAPEL HILL	NC	27514
CHAPEL HILL ISLAMIC SOCIETY	103 STATESIDE DR	Chapel Hill	NC	27514
LEE CHUN YU	102 STATESIDE DR	CHAPEL HILL	NC	27514
YE JIAOQIN	302 ARROWHEAD CT	WEST CHESTER	PA	19382
LIU PENGDA	103 BLACK TIE LN	CHAPEL HILL	NC	27514
PORIER KATHERINE MANN ETAL	101 STATESIDE DR	CHAPEL HILL	NC	27514
SLOMIANYJ MICHAEL	338 TENNEY CIR	CHAPEL HILL	NC	27514
JERNIGAN MARGARET H	210 CAROLINA MEADOWS	CHAPEL HILL	NC	27517
STATE EMPLOYEES CREDIT UNION	119 N SALISBURY ST	RALEIGH	NC	27603
WINDSOR PARK LAND MANAGEMENT LLC	6320 QUADRANGLE DR #360	CHAPEL HILL	NC	27514
WINDSOR PARK LAND MANAGEMENT LLC	6320 QUADRANGLE DR #360	CHAPEL HILL	NC	27514
WINDSOR PARK LAND MANAGEMENT LLC	6320 QUADRANGLE DR #360	CHAPEL HILL	NC	27514
PARKSIDE COMMUNITY ASSOCIATION INC PMB #112	3434-135 KILDAIRE FARM RD	CARY	NC	27511
AHMED MABROOR	100 NEW PARKSIDE DR	CHAPEL HILL	NC	27516
ACG AIRPORT ROAD LLC	2054 KILDAIRE FARM RD #413	CARY	NC	27518

MADDRY JOHN H TRUSTEE JR	106 KORINNA PL	CHAPEL HILL	NC	27514
YOUNG KELLY MADDRY	104 KORINNA PL	CHAPEL HILL	NC	275163425
ASSANI IDRIS	102 NEW PARKSIDE DR	CHAPEL HILL	NC	27516
LIE KUANGWEI	104 NEW PARKSIDE DR	CHAPEL HILL	NC	27516
LEE SUSAN A	105 KORINNA PLACE	CHAPEL HILL	NC	27516
JAYARAJ KARUPIAH	700 7TH ST SW	WASHINGTON	DC	200242459
YAO LIXIN	202 NEW PARKSIDE DR	CHAPEL HILL	NC	27516
YIN SHANG	503 LONEBROOK DR	Chapel Hill	NC	27516
CHAVEZ JUAN M	204 KENILWORTH PL	CHAPEL HILL	NC	27516
WANG MICHAEL J C TRUSTEE	116 GLENMORE RD	CHAPEL HILL	NC	27516
WANG LING	114 GLENMORE RD	CHAPEL HILL	NC	27516
WANG JUAI CHANG	112 GLENMORE RD	CHAPEL HILL	NC	275161148
ARREDONDO ALBERT A	110 GLENMORE RD	CHAPEL HILL	NC	27516
JIN JIAPING	5505 LYON FARM DR	DURHAM	NC	27713
CARROLL RAYMOND M	106 GLENMORE RD	CHAPEL HILL	NC	27516
CHTCHEPROV ANDREI	102 GLENMORE RD	CHAPEL HILL	NC	27516
DIESTRO LEONARDO D	204 NEW PARKSIDE DR	CHAPEL HILL	NC	275161169
LIU JIE	104 SAGERVIEW WAY	DURHAM	NC	27713
SCHILO JUSTIN J	200 KENILWORTH PL	CHAPEL HILL	NC	27516
ARUN VIJAYA	104 GLENMORE RD	CHAPEL HILL	NC	27516
MCCARTHY SEAN E	110 KENILWORTH PL	CHAPEL HILL	NC	275161146
BOWERS HAROLD	109 GLENMORE RD	CHAPEL HILL	NC	27516
YAO LAHUSEN YUAN	107 GLENMORE RD	CHAPEL HILL	NC	27516
BAQUET PAUL JR	103 GLENMORE RD	CHAPEL HILL	NC	27516
EALES ELIZABETH S	105 GLENMORE RD	Chapel Hill	NC	27516
TURNER LEWIS W	300 NEW PARKSIDE DR	CHAPEL HILL	NC	27516
ZHANG JIANXING	302 NEW PARKSIDE DR	CHAPEL HILL	NC	27516
JOYCE RYAN STEPHEN	108 KENILWORTH PL	CHAPEL HILL	NC	27516
PODKUL TIMOTHY E TRUSTEE	115 GLENMORE RD	CHAPEL HILL	NC	27516
TOCCI DOUGLAS L	113 GLENMORE RD	CHAPEL HILL	NC	27516
NEFF GARY R	111 GLENMORE RD	CHAPEL HILL	NC	27516
ZENG MING	304 NEW PARKSIDE DR	CHAPEL HILL	NC	27516
AN WON HYUN	105 BLACK TIE LN	CHAPEL HILL	NC	27514
DEPARTMENT OF TRANSPORATION	815 STADIUM DR	DURHAM	NC	27704

PHAM TONG	101 NEW PARKSIDE	CHAPEL HILL	NC	27516
PARKSIDE COMMUNITY ASSOCIATION IN PMB #112	3434-135 KILDAIRE RD	CARY	NC	27511
MITCHELL GORDON N	8616 YORKSHIRE LN	CHAPEL HILL	NC	275164831
VALENTINE JOE	103 NEW PARKSIDE DRIVE	CHAPEL HILL	NC	27516
SABESAN KUPPUSWAMY KANAGA	105 NEW PARKSIDE DR	CHAPEL HILL	NC	27516
JIN GUIFENG	203 NEW PARKSIDE DR	CHAPEL HILL	NC	27516
FREEDOM HOUSE RECOVERY	CENTER INC	CHAPEL HILL	NC	27516
LOPEZ JESUS	205 NEW PARKSIDE DR	CHAPEL HILL	NC	27516
FREEDOM HOUSE RECOVERY CENTER INC	104 NEW STATESIDE DRIVE	CHAPEL HILL	NC	27516
CARO MARICELINA D ETAL	301 NEW PARKSIDE DR	CHAPEL HILL	NC	27516
CHEN QINGQI	303 NEW PARKSIDE DR	CHAPEL HILL	NC	27516
PARKSIDE COMMUNITY ASSOCIATION INC	4020 WESTCHASE BLVD SUITE 190	RALEIGH	NC	27607
WU WEIDONG	201 NEW PARKSIDE DR	CHAPEL HILL	NC	27516
SMITH DWIGHT LLOYD	201 GLENMORE RD	CHAPEL HILL	NC	275161138
DIBA BILACH HASSAN	107 KENILWORTH PL	CHAPEL HILL	NC	27516
HARDY TRISTAN	106 KENILWORTH PL	CHAPEL HILL	NC	27516
HAWKE RENN CYNTHIA	104 KENILWORTH PL	CHAPEL HILL	NC	275161146
EALES ELIZABETH S	105 GLENMORE RD	Chapel Hill	NC	27516
MANSORI MERIWYNNE GROTHE	306 NEW PARKSIDE DR	CHAPEL HILL	NC	27516
STURKEY ADAM	102 KENILWORTH PL	CHAPEL HILL	NC	27516
XU WENJIAN	403 LONEBROOK DR	CHAPEL HILL	NC	27516
FAHIM MAHDI H	501 LONEBROOK DR	CHAPEL HILL	NC	27516
YIN SHANG	503 LONEBROOK DR	CHAPEL HILL	NC	27516
WANG JIA GANG	505 LONEBROOK DR	CHAPEL HILL	NC	27516
RAO RAGHAVENDRA	507 LONEBROOK DR	CHAPEL HILL	NC	27516
JOSEPH MARC H	509 LONEBROOK DR	CHAPEL HILL	NC	275161158
FENG SHU MANG	205 ROWE RD	CHAPEL HILL	NC	27516
BELDEN MICHAEL B	310 NEW PARKSIDE DR	CHAPEL HILL	NC	27516
ROSSMAN KENT L	100 KENILWORTH PL	CHAPEL HILL	NC	275161146
SHANKAR JAI	100 JULIETTE CT	CHAPEL HILL	NC	27516
YUAN LIN PI O	101 JULIETTE CT	CHAPEL HILL	NC	27516
COYNESMITH TIMOTHY LEE	502 LONEBROOK DR	CHAPEL HILL	NC	275161159
KUO WENDY SUSANNE	400 NEW PARKSIDE DRIVE	CHAPEL HILL	NC	27516
STRAND MICHAEL J	103 JULIETTE CT	CHAPEL HILL	NC	27516

CAO DONGSUN	918 SOUTH BEND DR	DURHAM	NC	27713
MAITHRIPALA DIYOGU A	15818 THISTLEBRIDGE DR	ROCKVILLE	MD	20853
TOWN OF CHAPEL HILL	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL	NC	27514
CHAPEL HILL TOWN OF	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL	NC	27514
CHAPEL HILL TOWN OF	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL	NC	27514

Orange County NC 08/04/2004
State of North Carolina
Real Estate Excise Tax
Excise Tax: \$633.00

20040804000219320 DEED
BK:RB3521 Pg:377
08/04/2004 04:27:35PM 1/3

FILED Joyce H. Pearson
Register of Deeds Orange COUNTY, NC
BY: *Wendy R. Mox*
Deputy

Excise Tax: \$633.00

Prepared by & return to: John T. Stewart
Levine & Stewart
143 West Franklin Street, Suite 202
Chapel Hill, North Carolina 27516

388

NORTH CAROLINA
ORANGE COUNTY

GENERAL WARRANTY DEED

9880-22-644822

THIS DEED, made and entered into this 22 nd day of July, 2004, by and between PRAMOD
S. TERSE AND WIFE, ANITA P. TERSE, Grantors; and JOY VALENTINE AND WIFE, IRENE
VALENTINE of 103 New Parkside Drive, Chapel Hill, NC 27516, Grantees;

WITNESSETH:

THAT said Grantors, in consideration of the sum of Ten Dollars and other good, valuable
and sufficient considerations, paid by the said Grantees, the receipt of which is hereby
acknowledged, have bargained and sold and by these presents does bargain, sell and convey unto the
said Grantees and their heirs and assigns, all that certain tract or parcel of land in Orange County,
North Carolina and more particularly described as follows:

Being all of Lot 2, Phase 5, Parkside Subdivision as shown on a map recorded in Plat Book 82,
Pages 161-162, Orange County Registry.

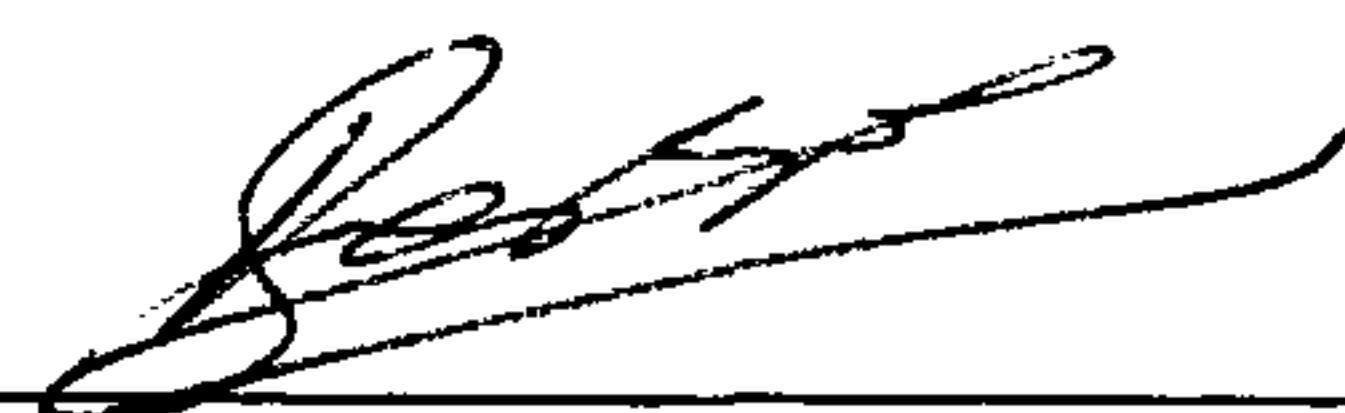
Subject to restrictive covenants and easements of record, if any.

The property described above was acquired by Grantor by instrument recorded in Book 2060, Page 244.

TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges and appurtenances thereunto belonging to the said Grantees and their heirs and assigns, in fee simple, except as set forth above.

And the said Grantors do covenant that they are seized of the premises in fee simple and have the right to convey same in fee simple; that the same are free from encumbrances except as set forth above; and that they will warrant and defend the said title to the same against the claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the said Grantors have hereunto set their hands and seals, the day and year first above written.



(SEAL)

Pramod S. Terse



(SEAL)

Anita P. Terse

Maryland
STATE OF ~~NORTH CAROLINA~~, COUNTY OF Montgomery

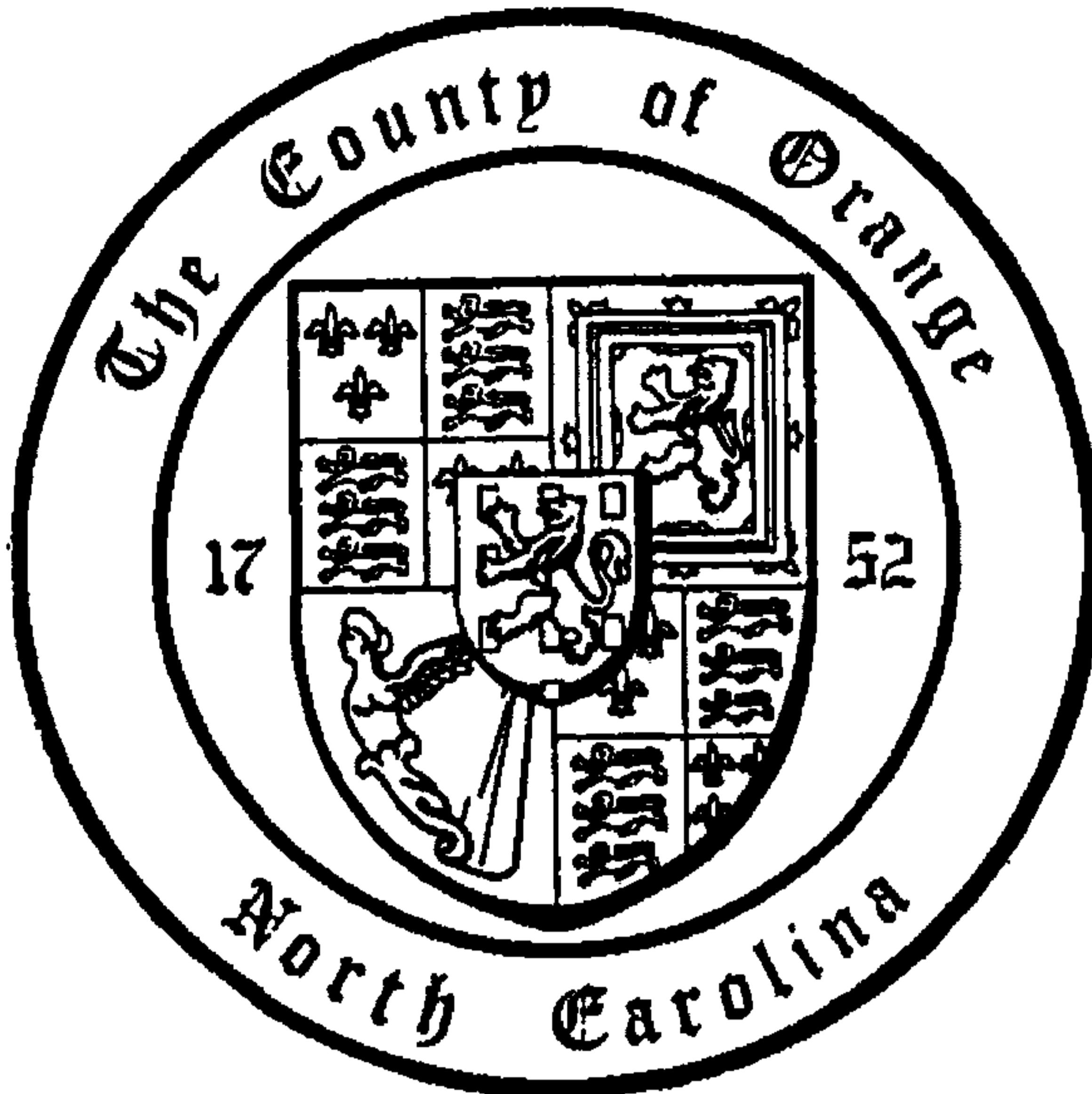
I, Linda D. Simmons, a Notary Public for said County and State, do hereby certify that Pramod S. Terse and Anita P. Terse personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 22nd day of July, 2004.



Linda D. Simmons
Notary Public, Montgomery County, MD

My Commission Expires: Aug. 1, 2006



Joyce H. Pearson
Register of Deeds
Orange County
North Carolina

State of North Carolina, County of Orange

The foregoing certificate(s) of LINDA D. SIMMONS, NOTARY PUBLIC for the Designated Governmental units is/are certified to be correct. See filing certificate herein.

This day August 4, 2004.

Joyce H. Pearson, Register of Deeds

BY: Wendy R. Dixie
Deputy / Assistant Register of Deeds