

Persimmon Hill Homeowners Association

Land Transfer Agreement

(Revised 02/04/06)

At its annual meeting, October 30, 2005, the Persimmon Hill Homeowners Association voted to approve the transfer of 11710 SF of land, noted as a portion of Common Area A, on plat map 2004-354 with, 14985 SF of land currently owned by James E. Dixon, both as shown on the proposed plat map Dixon Property, October 7, 2005 by L.J.F, under the following conditions:

1. A twenty five foot 'no-cut' buffer along the entire border between Persimmon Hill subdivision and the Dixon property is to be recorded in the subdivision proposal submitted to the County, and with the final plat map of the approved subdivision. Furthermore, the twenty five foot 'no-cut' buffer provision is to be recorded as a restriction on the deed of each individual lot that borders Persimmon Hill.
2. The proposed subdivision must meet the proposed Chatham County Lighting Ordinance provisions, dated 9/02/03, as noted on the County website: http://www.co.chatham.nc.us/dept/planning/planning_dept/ordinances/documents/Lighting_Ordinance_Draft-9-2-03.pdf, and specifically must include full cutoff lighting fixtures for street and entrance lighting and meet the provisions for signage lighting at the entranceway.
3. The property to be obtained by Persimmon Hill Homeowners Association is to be deeded to same, and to be combined with the existing land parcel, Common Area A, to provide a single contiguous area known as Common Area A.
4. Legal transfer of properties will constitute acceptance of the provisions listed above.
5. All legal costs regarding this land transfer are to be the responsibility of James E. Dixon.
6. This offer is valid until no later than June 30, 2006

Susan Arrington, Director

Persimmon Hill Homeowners Association Board of Directors

, Date 2/4/06

Dear Planning Department,

The proposed entrance to the subdivision applied for by James Dixon that enters Manns Chapel road poses a higher than normal risk to travelers of that highway. This proposal is also an encroachment of my property rights.

My attorney Ben Clifton with Clifton & Singer, LLP has reviewed Dixon's attorney's letter as it relates to this issue. Ben Clifton's opinion is that there exist a conflict.

I have been and am still willing to work out this conflict with these parties. This intersection needs to have a design that gives this section of highway a safer travel environment and a design that will protect the adjacent property values.

It is clear that this subdivision will expand in the future. This roadway may add other properties traffic through this intersection and dramatically increase traffic in the future.

I recommend that the planning and zoning authorities in conjunction with the DOT recommend a safer intersection.

Sincerely,

David G Hackney