Director of
Planning and Inspections
MEREDITH GUNS

Chief Building Inspector
MATT LOWCHER

Building Inspector
MARTY SHAW

Code Enforcement Officer
CHARLES THUMAN

THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

PLANNING DEPARTMENT

Assistant Director of
Planning and Inspections
BRYAN BRIGHTBILL

Senior Planner
CAMERON RAY

Zoning Administrator
DONNA ELLIOTT

August 10, 2020

Memorandum

To: Debbie Diaz, Town Manager

From: Cameron Ray, Assistant Planning Director (R

Subject: Amended Conditional Use Site Plan – Amber Harrison Jennings – 808 A Eighth Avenue in the Light Industrial Two Zone – Modify Site Plan to Remove Workforce Housing Designation from Unit 808A

Attached with this memorandum you will find a request to change the designation of workforce housing unit 808 A Eighth Avenue to a market rate unit. Also attached is the Amended Declaration of Covenants, which is required to be signed by all eight owners prior to recordation. Additionally, a site plan showing the proposed change of market rate and workforce housing units on the site has been attached.

The request meets the requirements outlined in § 153.207 (A) *Work force housing.*

The Amended Conditional Use Site Plan request is subject to the following conditions:

1. Payment of all waived fees associated with the conversion of Unit 808 A to market rate.
2. Submittal of Amended Declaration of Covenants signed by all eight owners.
3. Town Attorney approval
4. Payment of Town Attorney fees associated with review of the amended covenants.

Staff recommends setting the Public Hearing for September 14, 2020.

ATTACHMENT PH-4

AMBER HARRISON JENNINGS

808A Eighth Avenue

Kill Devil Hills, North Carolina 27948

July 6th, 2020

Mrs. Meredith Guns
Planning Director
Town of Kill Devil Hills
P.O. Box 1719
Kill Devil Hills, NC 27948

Dear Mrs. Guns:

I, Amber Harrison Jennings, would like to request that 808A Eighth Avenue, Nature's Walk subdivision, be removed from a workforce housing designation as the same is defined within the Kill Devil Hills Town Code as a "Workforce Housing Unit". Upon your approval, Unit 808A will become a market rate unit. Attached is the plat identifying Unit 808A within the Nature's Walk Subdivision.

The removal has been met with the approval of the CDC responsible for facilitating our subject request based on the Covenants, Conditions, and Restrictions pertinent to Nature's Walk. All provisions of those restrictions pertaining to the providing of an "Intent to Sell" notice to the CDC have been met.

My attorney has also been instructed to prepare an amendment to the recorded restrictions for Nature's Walk, which amendment will act to remove Unit 808A from the workforce housing encumbrance of said restrictions once the same is recorded with the Dare County Public Registry. My attorney will ensure that all owners of units within Nature's Walk sign this amendment prior to recording.

Thank you very much for your assistance and please let me know if you need anything further from me.

Sincerely,

Amber Harrison Jennings

Remove 808A
From "workforce Housing"

[redacted] [redacted]

RHGP

Rose Harrison
Gilreath & Powers, P.C.
Attorneys and Counselors at Law

Dennis C. Rose
Also Licensed in Virginia
dennis@outerbankslaw.com

M. Peebles Harrison
Also Licensed in Virginia
peebles@outerbankslaw.com

James R. Gilreath, Jr.
Also Licensed in South Carolina
jim@outerbankslaw.com

David B. Powers
david@outerbankslaw.com

February 28, 2020

Mr. and Mrs. Bruce Besemer
Ms. Christina Kelly Nettnin
Mr. Roy R. Pilkington, Jr., Trustee
Ms. Debra J. Pilkington, Trustee
Ms. Robin M. Taylor
Ms. Leslie J. Hornfeck
Mr. and Mrs. Janson J. Greene
Mr. and Mrs. Willie T. Copeland
Ms. Nancy Cuddy
Mr. Thomas E. Tupponce
Mr. and Mrs. Malcolm A. Tupponce
Lone Cedar Development, co/Kristi Stallings
Town of Kill Devil Hills

Re: Unit 808A, Natures Walk Condominium, Removal from Workforce Housing Unit Restriction

Ladies and Gentlemen:

Attached please find the Eighth Amended Declaration of Covenants, Conditions and Restrictions of Natures Walk Subdivision, which our firm has prepared which will remove Unit 808A, Natures Walk Subdivision as a Workforce Housing Unit, prior to the Besemer's sale of their unit. To accomplish this, we will need your signature before a notary public on this document. You can either print this document, sign the appropriate page before a notary public and return to my office below, or, if it is more convenient, you can stop by our office and sign this document before one of the notary publics in our office.

Your timely attention to this matter is greatly appreciated. If you have any questions about this document, please do not hesitate to contact our office.

Rose Harrison Gilreath & Powers, P.C.
PO Box 405 Kill Devil Hills, North Carolina 27948
Telephone 252-480-1414 Facsimile 252-480-1765 www.outerbankslaw.com

Very truly yours,

James R. Gilreath, Jr.

JRG/ska
Enclosure: as stated
cc: Casey Varnell, Esq.

Rose Harrison Gilreath & Powers, P.C.
PO Box 405 Kill Devil Hills, North Carolina 27948
Telephone 252-480-1414 Facsimile 252-480-1765 www.outerbankslaw.com

STATE OF NORTH CAROLINA
COUNTY OF DARE
Prepared by and Return to: James R. Gilreath, Jr., PO Box 405, Kill Devil Hills, NC 27948

EIGHTH AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF NATURE'S WALK SUBDIVISION

THIS AMENDMENT to the Declaration of Covenants, Conditions and Restrictions of Nature's Walk Subdivision, is made and declared this _____ day of _____, 2020, by Lone Cedar Land Development, LLC, a North Carolina limited liability company, with its principal office located at 281 Kilmarlic Club Drive, Powells Point, Currituck County, North Carolina 27966 (hereinafter, "Declarant") and Lone Cedar Land Development, LLC, Bruce Besemer and wife, Faith Besemer, Roy Richard Pilkington, Jr. and/or Debra June Pilkington, Trustees, or their successors in trust, under the Pilkington Living Trust dated May 5, 2017, Robin M. Taylor, Leslie J. Hornfeck, formerly known as Leslie L. Jackson, Christina Kelly Nettnin, Daniel K. Jones, Jenise I. Jones, Willie T. Copeland, Chanel L. Copeland, Nancy Cuddy, Malcolm A. Tupponce, Gertrude M. Tupponce, and Thomas E. Tupponce (hereinafter, "Lot Owners") and the Town of Kill Devil Hills:

WITNESSETH:

WHEREAS, certain restrictive covenants, conditions and restrictions were heretofore imposed on the property known as Nature's Walk Subdivision, which are more particularly described in Exhibit A, attached hereto and incorporated herein by reference (hereinafter, the "Property"), by a Declaration of Covenants, Conditions and Restrictions recorded in Book 1756, Page 371 as amended in the Amended Declaration of Covenants, Conditions and Restrictions of Nature's Walk Subdivision recorded in Book 1772, Page 222 as further amended in the Second Amended Declaration of Covenants, Conditions and Restrictions of Nature's Walk Subdivision recorded in Book 1779, Page 288 as further amended in the Third Amended Declaration of Covenants, Conditions and Restrictions of Nature's Walk Subdivision recorded in Book 1786, Page 169 as further amended in the Fourth Amended Declaration of Covenants, Conditions and Restrictions of Nature's Walk Subdivision recorded in Book 1862, Page 457 as further amended in the Fifth Amended Declaration of Covenants, Conditions and Restrictions of Nature's Walk Subdivision recorded in Book 1883, Page 171 of the Dare County Public Registry (hereinafter, "Declarations"); and

WHEREAS, the Declarations may be amended by Lot Owners to which at least sixty-seven percent (67%) of the votes in the Association are allocated and the Town of Kill Devil Hills; and

WHEREAS, Lot Owners are presently allocated over sixty-seven percent (67%) of the votes in the Association; and

WHEREAS, Declarant, Lot Owners and the Town of Kill Devil Hills desire to amend the Declarations to modify and amend the definition of Workforce Housing Unit;

NOW, WHEREFORE, the Declarant, Lot Owners and the Town of Kill Devil Hills do hereby make known and publish the following Amendment to the Declarations, and said Declarations, as amended, shall be binding on all parties, entities or persons purchasing real

property within the boundaries of the Property or their heirs or designees or any other person claiming under them.

Article I, Section 22 shall be changed to read: "Workforce Housing Unit" shall mean units 808-D, 808-E and 809-D set forth on the Plat.

Unit 808-A is no longer a Workforce Housing Unit, as defined in the Declarations, and as such, Unit 808-A is not and shall not be restricted by or encumbered by (i) the resale prohibitions or occupancy restrictions set forth in Sections 14, 15 and 16 of Article IX of the Declarations, (ii) by the Workforce Housing Ordinance in Sections153.002 and 153.207 of the Town Ordinance of Kill Devil Hills, (iii) the Housing Eligibility and Priority Placement Eligibility System of the Outer Banks Community Development Corporation or any subsequent amendment thereto, or (iv) any other term, condition, restriction or requirement that applied or related to Work Force Housing Unit as provided in the Declaration, Kill Devil Hills Town Ordinance, or elsewhere.

Other than the specific modifications referred to herein, the original Declarations shall be and remain in full force and effect subject only to the changes effected by this instrument. By their signatures below, all parties certify compliance with the Amendment provisions of Article XI of the Declarations.

IN WITNESS WHEREOF, Declarant, Lots Owners and the Town of Kill Devil Hills have caused this instrument to be executed pursuant to due authority as of the day and year first above written.

Lone Cedar Land Development, LLC

By: _____ (SEAL)
Kristi Stallings, Member/Manager

STATE OF NORTH CAROLINA,
COUNTY OF _____:

I, _____, certify that the following person personally appeared before me this day, acknowledging to that she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Kristi Stallings, Member/Manager of Lone Cedar Land Development, LLC, a North Carolina Limited Liability Company.

Witness my hand and official stamp or seal this _____ day of _____, 2020.

My commission expires: _____

(SEAL)

_____
Notary Public

_____
Printed or typed name of Notary Public

The Town of Kill Devil Hills

By: _____ (SEAL)
Debora P. Diaz, Town Manager

STATE OF NORTH CAROLINA,
COUNTY OF DARE:

I, _____, certify that the following person(s) personally appeared before me this day, each acknowledging to that she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Debora P. Diaz, Town Manager, of The Town of Kill Devil Hills.

Witness my hand and official stamp or seal this _____ day of _____, 2020.

My commission expires: _____

(SEAL)

_____
Notary Public

_____
Printed or typed name of Notary Public

Addendum to the
SIXTH AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF NATURE'S WALK SUBDIVISION

The undersigned, owning the undeveloped lot in Nature's Walk Subdivision, does hereby execute the foregoing, and by doing so does hereby vote for, consent to, and subject said undeveloped lot owned by the undersigned to the Sixth Amended Declaration of Covenants, Conditions and Restriction of Nature's Walk Subdivision. I further represent and warrant I have authority to vote on behalf of any co-owners of the undeveloped lot as provided in Article III of the Declaration, if any, and it is the intent of all owners that my signature below shall be binding upon all owners of the undeveloped lot and shall represent the vote of all owners of the undeveloped lot in Nature's Walk Subdivision.

Owner

Lone Cedar Land Development, LLC

By: _____ (SEAL)
Kristi Stallings, Member/Manager

STATE OF NORTH CAROLINA,
COUNTY OF _____:

I, _____, certify that the following person personally appeared before me this day, acknowledging to that she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Kristi Stallings, Member/Manager of Lone Cedar Land Development, LLC, a North Carolina Limited Liability Company.

Witness my hand and official stamp or seal this _____ day of _____, 2020.

My commission expires: _____

(SEAL)

_____
Notary Public

_____
Printed or typed name of Notary Public

Addendum to the
SIXTH AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF NATURE'S WALK SUBDIVISION

The undersigned, owning Unit 808-A in Nature's Walk Subdivision, does hereby execute the foregoing, and by doing so does hereby vote for, consent to, and subject said Unit 808-A owned by the undersigned to the Sixth Amended Declaration of Covenants, Conditions and Restriction of Nature's Walk Subdivision. I further represent and warrant I have authority to vote on behalf of any co-owners of the Unit 808-A as provided in Article III of the Declaration, if any, and it is the intent of all owners that my signature below shall be binding upon all owners of Unit 808-A and shall represent the vote of all owners of Unit 808-A.

Owner

_____ (SEAL)
Bruce Besemer

_____ (SEAL)
Faith Besemer

STATE OF _____,
COUNTY OF _____:

I, _____, a Notary Public, in and for the said jurisdiction, do hereby certify that Bruce Besemer and wife, Faith Besemer, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this _____ day of _____, 2020.

My commission expires: _____

(NOTARY SEAL)

_____
Notary Public

Addendum to the
SIXTH AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF NATURE'S WALK SUBDIVISION

The undersigned, owning Unit 808-B in Nature's Walk Subdivision, does hereby execute the foregoing, and by doing so does hereby vote for, consent to, and subject said Unit 808-B owned by the undersigned to the Sixth Amended Declaration of Covenants, Conditions and Restriction of Nature's Walk Subdivision. I further represent and warrant I have authority to vote on behalf of any co-owners of the Unit 808-B as provided in Article III of the Declaration, if any, and it is the intent of all owners that my signature below shall be binding upon all owners of Unit 808-B and shall represent the vote of all owners of Unit 808-B.

Owner

_____ (SEAL)
Christina Kelly Nettnin

STATE OF _____,
COUNTY OF _____:

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

Witness my hand and official seal this _____ day of _____, 2020.

My commission expires: _____

(NOTARY SEAL)

_____
Notary Public

_____
Typed or Printed Name of Notary Public

Addendum to the
SIXTH AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF NATURE'S WALK SUBDIVISION

The undersigned, owning Unit 808-C in Nature's Walk Subdivision, does hereby execute the foregoing, and by doing so does hereby vote for, consent to, and subject said Unit 808-C owned by the undersigned to the Sixth Amended Declaration of Covenants, Conditions and Restriction of Nature's Walk Subdivision. I further represent and warrant I have authority to vote on behalf of any co-owners of the Unit 808-C as provided in Article III of the Declaration, if any, and it is the intent of all owners that my signature below shall be binding upon all owners of Unit 808-C and shall represent the vote of all owners of Unit 808-C.

Owner

_____ (SEAL)
Roy Richard Pilkington, Jr. Trustee under the Pilkington Living Trust dated May 5, 2017

_____ (SEAL)
Debra June Pilkington, Trustee under the Pilkington Living Trust dated May 5, 2017

STATE OF _____,
COUNTY OF _____:

I, _____, a Notary Public, in and for the said jurisdiction, do hereby certify that Roy Richard Pilkington, Jr. and Debra June Pilkington, Trustees under the Pilkington Living Trust dated May 5, 2017, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this _____ day of _____, 2020.

My commission expires: _____

(NOTARY SEAL)

_____
Notary Public

_____
Typed or Printed Name of Notary Public

Addendum to the
SIXTH AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF NATURE'S WALK SUBDIVISION

The undersigned, owning Unit 808-D in Nature's Walk Subdivision, does hereby execute the foregoing, and by doing so does hereby vote for, consent to, and subject said Unit 808-D owned by the undersigned to the Sixth Amended Declaration of Covenants, Conditions and Restriction of Nature's Walk Subdivision. I further represent and warrant I have authority to vote on behalf of any co-owners of the Unit 808-D as provided in Article III of the Declaration, if any, and it is the intent of all owners that my signature below shall be binding upon all owners of Unit 808-D and shall represent the vote of all owners of Unit 808-D.

Owner

_____ **(SEAL)**
Robin M. Taylor

STATE OF _____,
COUNTY OF _____:

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

Witness my hand and official seal this _____ day of _____, 2020.

My commission expires: _____

(NOTARY SEAL)

_____
Notary Public

_____
Typed or Printed Name of Notary Public

Addendum to the
SIXTH AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF NATURE'S WALK SUBDIVISION

The undersigned, owning Unit 808-E in Nature's Walk Subdivision, does hereby execute the foregoing, and by doing so does hereby vote for, consent to, and subject said Unit 808-E owned by the undersigned to the Sixth Amended Declaration of Covenants, Conditions and Restriction of Nature's Walk Subdivision. I further represent and warrant I have authority to vote on behalf of any co-owners of the Unit 808-E as provided in Article III of the Declaration, if any, and it is the intent of all owners that my signature below shall be binding upon all owners of Unit 808-E and shall represent the vote of all owners of Unit 808-E.

Owner

_____ **(SEAL)**
Leslie J. Hornfeck

STATE OF _____,
COUNTY OF _____:

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

Witness my hand and official seal this _____ day of _____, 2020.

My commission expires: _____

(NOTARY SEAL)

_____
Notary Public

_____
Typed or Printed Name of Notary Public

Addendum to the
SIXTH AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF NATURE'S WALK SUBDIVISION

The undersigned, owning Unit 809-A in Nature's Walk Subdivision, does hereby execute the foregoing, and by doing so does hereby vote for, consent to, and subject said Unit 809-A owned by the undersigned to the Sixth Amended Declaration of Covenants, Conditions and Restriction of Nature's Walk Subdivision. I further represent and warrant I have authority to vote on behalf of any co-owners of the Unit 809-A as provided in Article III of the Declaration, if any, and it is the intent of all owners that my signature below shall be binding upon all owners of Unit 809-A and shall represent the vote of all owners of Unit 809-A.

Owner

_____ (SEAL)
Janson J. Greene

_____ (SEAL)
Christine A. Greene, formerly
Christine A. Blair

STATE OF _____,
COUNTY OF _____:

I, _____, a Notary Public, in and for the said jurisdiction, do hereby certify that Janson J. Greene and wife, Christine A. Greene, formerly Christine A. Blair personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this _____ day of _____, 2020.

My commission expires: _____

(NOTARY SEAL)

_____
Notary Public

_____
Typed or Printed Name of Notary Public

Addendum to the
SIXTH AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF NATURE'S WALK SUBDIVISION

The undersigned, owning Unit 809-B in Nature's Walk Subdivision, does hereby execute the foregoing, and by doing so does hereby vote for, consent to, and subject said Unit 809-B owned by the undersigned to the sixth Amended Declaration of Covenants, Conditions and Restriction of Nature's Walk Subdivision. I further represent and warrant I have authority to vote on behalf of any co-owners of the Unit 809-B as provided in Article III of the Declaration, if any, and it is the intent of all owners that my signature below shall be binding upon all owners of Unit 809-B and shall represent the vote of all owners of Unit 809-B.

Owner

_____ (SEAL)
Daniel K. Jones

_____ (SEAL)
Jenise I. Jones

STATE OF _____,
COUNTY OF _____:

I, _____, a Notary Public, in and for the said jurisdiction, do hereby certify that Daniel K. Jones and Jenise I. Jones personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this _____ day of _____, 2020.

My commission expires: _____

(NOTARY SEAL)

_____
Notary Public

_____
Typed or Printed Name of Notary Public

Addendum to the
SIXTH AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF NATURE'S WALK SUBDIVISION

The undersigned, owning Unit 809-C in Nature's Walk Subdivision, does hereby execute the foregoing, and by doing so does hereby vote for, consent to, and subject said Unit 809-C owned by the undersigned to the Sixth Amended Declaration of Covenants, Conditions and Restriction of Nature's Walk Subdivision. I further represent and warrant I have authority to vote on behalf of any co-owners of the Unit 809-C as provided in Article III of the Declaration, if any, and it is the intent of all owners that my signature below shall be binding upon all owners of Unit 809-C and shall represent the vote of all owners of Unit 809-C.

Owner

_____ **(SEAL)**
Chanel L. Copeland

_____ **(SEAL)**
Willie T. Copeland

STATE OF _____,
COUNTY OF _____:

I, _____, a Notary Public, in and for the said jurisdiction, do hereby certify that Chanel L. Copeland and Willie T. Copeland personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this _____ day of _____, 2020.

My commission expires: _____

(NOTARY SEAL)

_____
Notary Public

_____
Typed or Printed Name of Notary Public

Addendum to the
SIXTH AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF NATURE'S WALK SUBDIVISION

The undersigned, owning Unit 809-D in Nature's Walk Subdivision, does hereby execute the foregoing, and by doing so does hereby vote for, consent to, and subject said Unit 809-D owned by the undersigned to the Sixth Amended Declaration of Covenants, Conditions and Restriction of Nature's Walk Subdivision. I further represent and warrant I have authority to vote on behalf of any co-owners of the Unit 809-D as provided in Article III of the Declaration, if any, and it is the intent of all owners that my signature below shall be binding upon all owners of Unit 809-D and shall represent the vote of all owners of Unit 809-D.

Owner

_____ (SEAL)
Nancy Cuddy

STATE OF _____,
COUNTY OF _____:

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

Witness my hand and official seal this _____ day of _____, 2020.

My commission expires: _____

(NOTARY SEAL)

_____
Notary Public

_____
Typed or Printed Name of Notary Public

Addendum to the
SIXTH AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF NATURE'S WALK SUBDIVISION

The undersigned, owning Unit 809-E in Nature's Walk Subdivision, does hereby execute the foregoing, and by doing so does hereby vote for, consent to, and subject said Unit 809-E owned by the undersigned to the sixth Amended Declaration of Covenants, Conditions and Restriction of Nature's Walk Subdivision. I further represent and warrant I have authority to vote on behalf of any co-owners of the Unit 809-E as provided in Article III of the Declaration, if any, and it is the intent of all owners that my signature below shall be binding upon all owners of Unit 809-E and shall represent the vote of all owners of Unit 809-E.

Owner

_____ (SEAL)
Thomas E. Tupponce

_____ (SEAL)
Malcolm A. Tupponce

_____ (SEAL)
Gertrude M. Tupponce

STATE OF _____,
COUNTY OF _____:

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

Witness my hand and official seal this _____ day of _____, 2020.

My commission expires: _____

(NOTARY SEAL)

_____
Notary Public

_____
Typed or Printed Name of Notary Public

STATE OF _____,
COUNTY OF _____:

I, _____, a Notary Public, in and for the said jurisdiction, do hereby certify that Matthew A. Tupponce and Gertrude M. Tupponce personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this _____ day of _____, 2020.

My commission expires: _____

(NOTARY SEAL)

_____
Notary Public

_____
Typed or Printed Name of Notary Public

N.E.I.
New Era Industries

Charles D. Poe, President
PO Box 3303 / Kill Devil HIlls, NC 27948 / (252) 599-2888

February 26, 2020

Cameron Ray, CFM
Assistant Planning Director
P.O. Box 1719
Kill Devil Hills, NC 27948

RE: Bruce & Faith Besemer – 808A Eight Street – Kill Devil Hills, NC 27948

Mr. Ray:

As has been the practice, since my retirement, I have been directly involved in the "relaxation of the designation" of the units on Eight Street. At first Blessing Ministries CDC was involved but went out of business. At that point River City CDC accepted the responsibility in that I was consulting with them and could "handle" the effort. I moved on from River City in 2017 and they will no longer provide that service.

I incorporated "New Era Industries" intending to assist municipalities and CDC organizations with needed professional services. As President, I am willing to continue to serve Kill Devil Hills regarding this particular effort.

Therefore:

- In the absence of the Outer Banks CDC, Blessing Ministries and the River City CDC, New Era Industries agrees to accept responsibility for implementation of the workforce housing ordinance for the Town of Kill Devil Hills.
- Given that, New Era has no interest at the present time in acquiring the mentioned property.

If we as a company, or I may be of further assistance please feel free to contact me.

Sincerely,

Charles D. Poe, President
chas.poe@gmail.com
(o) 252-441-8855
© 252-599-2888