

IN THE SUPREME COURT OF NORTH CAROLINA

No. 184PA99

FILED: 5 November 1999

C. C. & J. ENTERPRISES, INC.,
Petitioner

v.

CITY OF ASHEVILLE,
Respondent,
and
JACKSON PARK/WOOLSEY NEIGHBORHOOD ASSOCIATION,
Intervenor-Respondent

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous decision of the Court of Appeals, ___ N.C. App. ___, 512 S.E.2d 766 (1999), affirming an order entered 5 December 1997 by Allen (C. Walter), J., in Superior Court, Buncombe County. Heard in the Supreme Court 13 October 1999.

Ball, Barden, & Bell, P.A., by Stephen L. Barden, III, for petitioner-appellee.

Robert W. Oast, Jr., for respondent-appellant.

Siemens Law Office, P.A., by Jim Siemens, for intervenor-respondent-appellant and -appellee.

PER CURIAM.

DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.