

**An Ordinance Amending the Durham Unified Development Ordinance
By Taking Property out of RR; F/J-B (County Jurisdiction) Zoning District
and Establishing the Same as RR; F/J-B (City Jurisdiction) District**

Be it Ordained by the Durham City Council:

Section 1. That the Durham City Council held a Public Hearing on Zoning Case Z1000014A and Voted on June 20, 2011 to approve the Zoning Map Change described herein.

Section 2. That the Durham Zoning Atlas and Unified Development Ordinance are hereby amended by taking the following described Property out of RR; F/J-B (County Jurisdiction) Zoning and placing the same in and establishing the same as RR; F/J-B (City Jurisdiction) Zoning.

All property as follows, and to the centerlines of any adjoining public rights-of way:

LEGAL DESCRIPTION
CARDINAL OAKS
FY2011-01
Lands of the Landquest Legacy of North Carolina
PIN 0852-02-45-4380
PID #209965
Cheek Road,
Durham, N.C., 27704

ALL THAT CERTAIN tract or Parcel of Land Situated in the Township of Oak Grove, in the County of Durham and in the State of North Carolina, being more particularly described as follows:

Beginning at a point where the southerly right of way line of Cheek Road (Existing 60' Public Right of Way) intersects the westerly boundary line of lands now or formerly of Landquest Legacy of North Carolina, LLC. as described in DB 5528, PG 220 of the Durham, County Registry, said Point of Beginning having N.C. Grid Coordinate of N. 826,562.4742, E. 2,054,613.7342, as illustrated on a certain annexation map entitled "Contiguous Annexation Map of: Lands of Landquest Legacy of North Carolina" prepared by S.D. Puckett & Associates, with a date of 09-30-2010 and being the Property herein described, and from said beginning point runs; thence, along the westerly boundary line of said Landquest Legacy of North Carolina the following six (6) courses, (1) S 07°59'36"E, 674.18 feet to a point; thence, (2) S 56°02'12"E, 237.24 feet to a point; thence, (3) S 23°31'24"W, 261.87 feet to a point; thence, (4) S 66°38'14"E 117.05 feet to a point; thence, (5) N 22°41'49"E 240.64 feet to a point; thence, (6) S 62°38'13"E 724.61 feet to a point; where the aforementioned westerly boundary line of Landquest Legacy of North Carolina intersects the northerly property line of lands now or formerly of Beazer Homes Corporation, as described in DB 4671, PG 215, of the Durham County Registry ; thence, along said line of Beazer, S 58°04'16"W, 24.92 feet to an angle point in said line of Beazer; thence, still along said Beazer and also along the northern property line of lands now or formerly of Cardinal Lake Owners Association, Inc., as described in DB 4955, PG 859, of the Durham County Registry, S 48°03'27"W, 1,629.61 feet to a point common

corner of said Cardinal Lake Owners Association, Inc., the northwesterly corner lands now or formerly of Joseph Churchwell III, as described in DB 5474, PG 592, of the Durham County Registry and the southeasterly corner of lands now or formerly of Jerrod T. Davenport, as described in DB 5197, PG 538, of the Durham County Registry; thence along the easterly property line of said Davenport and also along the easterly property lines of lands now or formerly of Cardinal Lake Owners Association, Inc., as described in DB 4955, PG 859, of the Durham County Registry, now or formerly of Carlene H. Gales as described in DB 4995, PG 756, of the Durham County Registry, now or formerly of Kenneth Lee., as described in DB 5108, PG 438, of the Durham County Registry and now or formerly of Gary Ford as described in DB 4980, PG 998, of the Durham County Registry, N 31°46'24"W, 580.26 feet to a point in the southerly line of lands now or formerly of Ralph D. Underwood, Jr. as described in DB 1353, PG 585, of the Durham County Registry ; thence, along said southerly line of Underwood, N 51°37'37"E, 57.86 feet to a point being the southeasterly property corner of said Underwood; thence, along the northeasterly property line said Underwood, N 62°04'08"W, 486.50 feet to a point where the northeasterly line of said Underwood is intersected by the easterly line of lands now or formerly of Rodney W. & Victoria H. Andrews as described in DB 1340, PG 96, of the Durham County Registry; thence, along said easterly line N 06°12'23"W, 895.74 feet to a point common corner of said Andrews, the southeasterly corner of lands now or formerly of Erica L. Geissler, as described in DB 5798, PG 308, of the Durham County Registry and the southwesterly corner of lands now or formerly of Rolando Rodriguez, as described in DB 4666, PG 46, of the Durham County Registry; thence along the southerly line of said Rodriguez and also along the southerly property lines of the lands now or formerly of Willie E. Dyer, as described in DB 2353, PG 658, of the Durham County Registry, the lands now or formerly of Riley W. Dehart, Jr. as described in DB 404, PG 479, of the Durham County Registry and the lands now or formerly of Adam J. Harriss, as described in DB 2684, PG 964, of the Durham County Registry, N 76°28'59"E, 739.55 feet to a point in the westerly line of Bobby J. Freeman, as described in DB 2678, PG 83, of the Durham County Registry; thence, along said line of Freeman, S07°43'06"E, 13.48 feet to a point being the southwesterly corner of said Freeman; thence along the southerly line of said Freeman, N 74°06'28"E, 165.91 feet to a point, said point being the southeasterly corner of said Freeman and the southwesterly corner of lands now or formerly Willie T. Chisenhall, as described in DB 2201, PG 799, of the Durham County Registry; thence, along the southerly line of said Chisenhall, N73°56'39"E, 147.49 feet to a point, said point being the southeasterly corner of said Chisenhall; thence, along the easterly line of said Chisenhall, N 07°59'36"W, 404.83 feet to a point in the aforementioned southerly right of way line of Cheek Road; thence, crossing the right of way of said Cheek Road, N 13°36'16"W, 60.00 feet to a point in the northerly right of way line of Cheek Road; thence, along the northerly right of way line of said Cheek Road, N76°23'44"E, 25.12 feet to a point, still on said right of way; thence, crossing the right of way of Cheek Road, S13°36'16"E, 60.00 feet to the point and place of beginning.

SAID ABOVE DESCRIBED tract of land containing within said bounds 2,039,694 S.F. or 46.825 Acres of land.

THE ABOVE DESCRIBED tract or parcel of land is subject to a 200' Cross Access Easement as illustrated on the above mentioned Plat.

Section 3. This Ordinance shall be in full force and effect from and after its passage.

Section 4. All ordinances in conflict with this Ordinance are hereby repealed.