Rev. 06/2012

DURHAM
1869
CITY OF MEDICINE

Durham City-County Planning Department

STREET CLOSING APPLICATION

(Submit complete application with fee to City Clerk's Office if City jurisdiction, or County Clerk's Office if County jurisdiction)

Submittal Information (Completed by City or County Clerk's Office)		
Date/Time rec'd: 6/21/2012	Rec'd by:	Amt Paid: $1,545.00

6/28/12 / 3:00 p.m. 7/5/12 Processed

Tracking Information (Completed by Planning Department)	
Case #: SC 1200001	Case Planner: JEFF BURDICK

Street Closing Process

ONLY COMPLETE APPLICATIONS CAN BE ACCEPTED

Street Closing requests require a public hearing conducted by the Governing Body, either the **City Council** (if the request is within the City jurisdiction) or the **Board of Commissioners** (if in unincorporated Durham County). Attendance at the hearing is strongly recommended. Applicants may represent themselves or have someone as their spokesperson. The public hearing will allow all interested parties to speak and ask questions.

The governing body may approve or deny a request. An approved request can be **appealed by an opposing party to the Superior Court within 30 days.** Requests that have been approved cannot be recorded until the end of the **30-day waiting period**.

Review Process:

- A complete application with the fee paid in full is submitted to the **City Clerk's Office** or **County Clerk's Office**, depending on jurisdiction.
- The Planning Department is forwarded the application for processing and review.
- The Planning Department distributes the request to various City and County departments and utilities, such as Duke Energy, PSNC, etc., and awaits comments from these departments and agencies.
- The Planning Department forwards comments, along with corrections (if any) needed for the *Street Closing and Recombination Plat,* to the applicant.
- Once comments are addressed and the draft plat is deemed to be correct and recordable, the request is scheduled for the Governing Body to "Set a public hearing."
- The governing body will generally conduct the public hearing a month from the date it sets the public hearing.
- The governing body conducts the public hearing and can approve, deny or continue the case if it deems more information is needed before a decision can be made.
- If approved, a 30-day waiting period begins to allow for an appeal to the Superior Court.
- If no appeal is filed within the 30-day period, the order to close the street, along with the *street closing recombination plat*, is recorded. Planning staff will contact the applicant to acquire the appropriate number of copies and the fee to record all documents.

Contact Information: If you have any questions, please contact the City-County Planning Department at (919)560-4137 between 8:00 a.m. and 5:00 p.m. on weekdays.

Case # SC1200001

Street Information

Name of street/alley/ road to be closed:	Arringdon Park Drive
Jurisdiction: ☐ City ☑ County ☐ Both	Length to be closed (linear feet): 1,458
Plat or deed book reference dedicating public right-of-way: PB 154, PG 35	Area to be closed (square feet): 73,485
Reason for street closure:	Recombining lots and right-of-way to construct apartment project.
Existing condition of street/alley/road: ☐ Paved ☐ Gravel surface ☐ Dirt ☑ Unopened (unconstructed paper street)	

To the best of the petitioner's knowledge (check where applicable):

☑ That portion of (street name) sought to be closed has not been accepted by the North Carolina State Department of Transportation for maintenance or by the City of Durham for maintenance.

☐ That portion of (street name) sought to be closed has been accepted by the City of Durham for maintenance and by the North Carolina State Department of Transportation for maintenance.

☐ That portion of (street name) sought to be closed has been accepted by the City of Durham for maintenance but not by the State of North Carolina Department of Transportation for maintenance.

Applicant(s) Information (attach more sheets if necessary)

Name(s):	Arringdon, LLC (Dean E. Painter, Jr. - Managing Member)
Address: 4601 Six Forks Road, Suite 528	PIN pertaining to street closure: 0757-01-16-6159
City/State/Zip: Raleigh, NC 27609	Phone: (919) 812-3405
	Email: deanpainter@aol.com

I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information, and belief.

Michael Painter on behalf of Dean Painter — June 12, 2012

Applicant Signature — Date

Name(s):	
Address:	PIN pertaining to street closure:
City/State/Zip:	Phone:
	Email:

I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature — Date

Case # SC1200001

Application Requirements	Applicant Initial	Staff Initial
Street Closing Application (this form): Signatures must be original.	DP	JB
Fee: Payment by check is preferred, made payable to "City of Durham." A receipt will be provided. Note: An additional fee to record the closing will be required if the request is approved.	DP	JB
Legal metes and bounds description of the proposed street/alley/road to be closed: One (1) hardcopy and one (1) digital version (either on disc or emailed to Jeffrey.Burdick@durhamnc.gov and Brenda.Crews@durhamnc.gov).	DP	JB
GIS map highlighting the area within two (2) blocks in all directions of the street/alley/road to be closed: A map may be obtained from the GIS department on the 4th floor of City Hall, the Land Records Division on the ground floor of the Old County Courthouse, or Spatial Data Explorer available online at: http://gisweb.durhamnc.gov/gomaps/map/index.cfm	DP	JB
Street Closing and Recombination Plat: Four (4) full-size copies and one (1) 11 X 17 reduction, prepared by a licensed surveyor.	DP	JB
Statement of purpose for the request: Include a list of additional applications associated with the request (plats, site plans, zoning map change, etc.) and provide a brief description with an 11 X 17 reduction of those plans.	DP	JB
List of contiguous and adjacent properties, indicating property owner, address and PIN.	DP	JB

LEGAL DESCRIPTION

ARRINGDON PARK DRIVE

Beginning at a point, said point being located on the Southern Right-of-Way of Arringdon Park Drive at Langdon Drive, having NC Grid coordinates of N(y) 775,962.49' E(x) 2,051,292.33', thence along the Right-of-Way of Langdon Drive along a curve to the left having a radius of 66.00', a length of 104.07', a chord bearing of N 01° 32' 30" E and a chord distance of 93.62' to a point, thence leaving Langdon Drive Right of Way along the Northern side of Arringdon Park Drive along a curve to the left having a radius of 75.00', a length of 58.58' a chord bearing of S 66°00'22" W and a chord distance of 57.10' to a point, thence continuing along said Right-of-Way S 88° 22' 57" E 407.20' to a point, thence along a curve to the left having a radius of 275.00', a length of 443.64' a chord bearing of N 45° 24' 05" E and a chord distance of 397.07', thence N 00° 48' 52" W 519.17' to a point, thence along a curve to the left having a radius of 20.00', a length of 28.95', a chord bearing of N 42° 17' 04" W and a chord distance of 26.49' to a point on the Southern Right-of-Way of Comstock Road, thence along said Right-of-Way S 83° 33' 47" E 90.80', thence leaving Comstock Road Right-of-Way along a curve to the left having a radius of 20.00', a length of 33.95', a chord bearing of S 47° 49' 11" E and a chord distance of 30.02' to a point, thence running with the Southern Right-of-Way of Arringdon Park Drive S 00° 48' 52" E 507.71' to a point, thence continuing along said Right-of-Way along a curve to the right having a radius of 325.00', a length of 524.30', a chord bearing of S 45° 24' 05" W, a chord distance of 469.27' to a point, thence N 88° 27' 57" W 406.94' to a point, thence along a curve to the left having a radius of 75.00', a length of 58.78', a chord bearing of S 69°09'55" W and a chord distance of 57.29' to the point and place of beginning containing 1.687 acres as shown on a survey prepared by Cawthorne, Moss & Panciera, PC dated November 9, 2011 and revised June 11, 2012 and revised September 19, 2012.

DEVELOPMENT ENGINEERING, INC.
Professional Engineering Consultants

June 20, 2012

Street Closing Application for Page Rd. Apartments – D1200028

Statement of Purpose

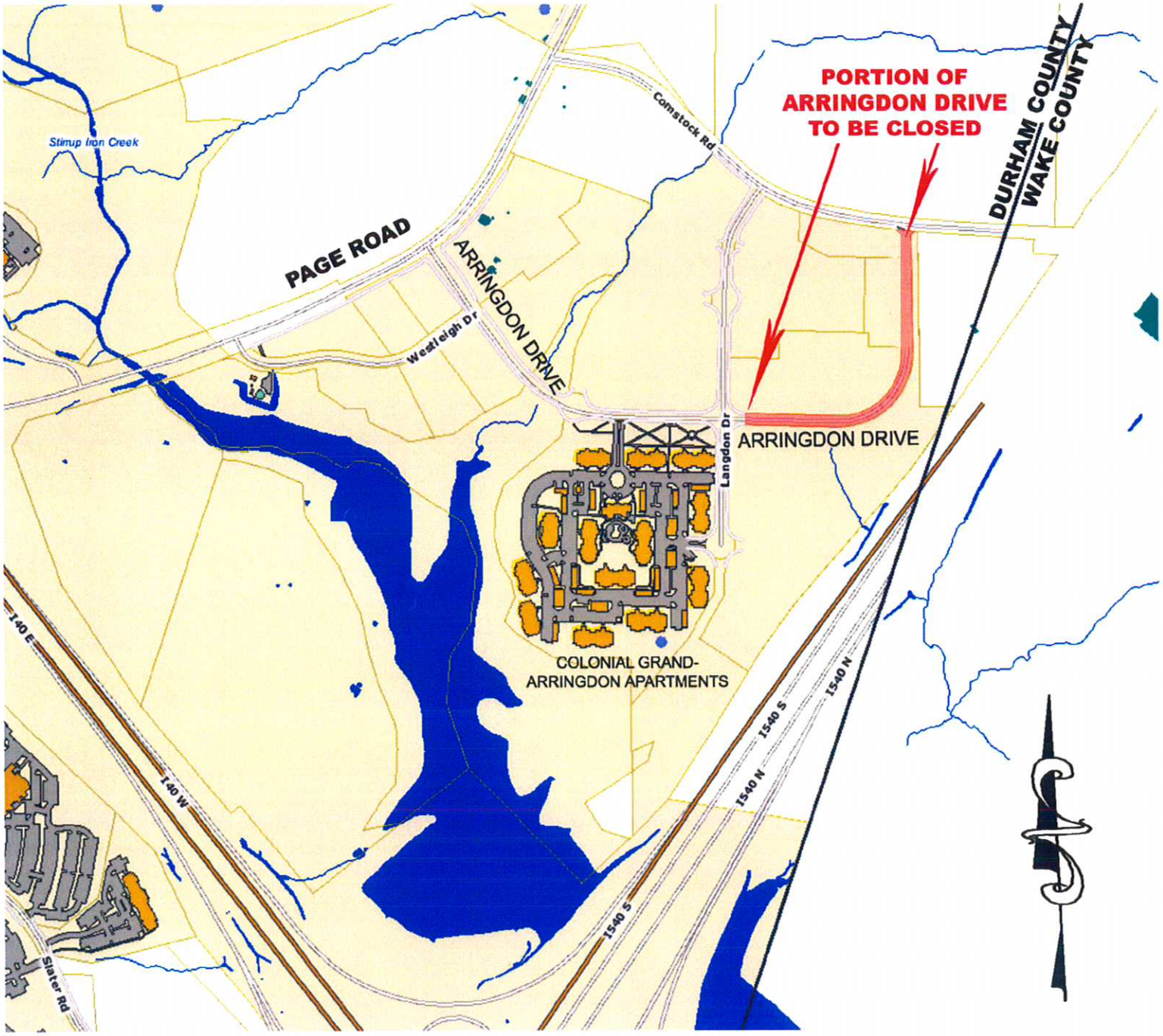
The purpose of the request to close approximately 1,458 linear feet of Arringdon Park Dr. right of way only is that the proposed apartment project will change the original reason the right of way was dedicated in 2001. Then, the property was proposed to be developed as office and the road would have served a number of office buildings. The road was never constructed, the office buildings were never built due to the change in economy, and the right of way is no longer needed. When the property was rezoned in 2010, case number Z0900015, the Development Plan included the closure of the right of way and was approved at a public hearing.

Sincerely,

David H. Blevins, P.E.
Project Engineer
Development Engineering, Inc.

244 W. Millbrook Road, Raleigh, NC 27609
P. O. Box 17705, Raleigh, NC 27619
Phone: 919-847-8300
FAX: 919-847-2130

DURHAM COUNTY NORTH CAROLINA
GIS MAP



NOT TO SCALE

PROPOSED ROAD CLOSURE LOCATION MAP FOR PORTION OF ARRINGDON PARK DRIVE

LOCATED AT THE INTERSECTION OF COMSTOCK ROAD, LANGDON ROAD AND ARRINGDON PARK DRIVE, CITY OF DURHAM, DURHAM COUNTY, NC 27560

List of Contiguous and Adjacent Properties

Street Name: Arringdon Park Drive

Pin #: 0757-01-16-6159

Owner Name	Owner Address	Pin Number(s)
Arringdon, LLC	4601 Six Forks Road, Suite, 528 Raleigh, NC 27609	0757-01-16-7890 (Lot 3) 0757-01-16-6159 (Lot 4) 0757-03-15-6623 (Lot 5) 0757-01-16-9552 (Lot 16)