

**An Ordinance Amending the Durham Unified Development Ordinance
By Taking Property out of CN(D) Zoning District and Establishing the Same
as CN(D) District**

Be it Ordained by the Durham City Council:

Section 1. That the Durham City Council held a Public Hearing on Zoning Case Z1200026 and Voted on December 16, 2013 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 CN(D) and placing the same in and establishing the same as CN(D).

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

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

Beginning at a point being the southwesterly end of the truncated intersection for the curved northeasterly right of way line of Guess Road (an existing variable width public R/W) with the southeasterly right of way line of Victory Boulevard (an existing 60 foot public R/W, per Durham County Registry PB 165, PG 202), said point being marked by a N.C. DOT R/W monument, as illustrated on a certain survey entitled "Boundary & Topographic Survey for: Muirfield Village Commercial, prepared by S.D. Puckett & Assoc., Inc. and dated August 01, 2012 and from said beginning point runs; thence, along said truncated intersection, N 23° 10' 10" E, 48.80 feet to a point in said R/W line of Victory Boulevard, said point being marked by a N.C. DOT R/W monument; thence, along said southeasterly line of Victory Boulevard, N 65° 45' 11" E, 172.37 feet to a point where said southeasterly line is intersected by the southwesterly property line of the lands now or formerly Lennar Carolinas, LLC as described in Durham County Registry DB 6870, PG 1 and said point being marked by a set Iron Rebar; thence, along said line of Lennar Carolinas, LLC, S 23° 30' 42" E, 876.18 feet to a point in the northeasterly property line of the lands of M. M. Fowler, Inc. as described in Durham County Registry DB 1198, PG 216 and said point also being the centerline of Mill Creek; thence, along said line M.M. Fowler, Inc. the following eight (8) courses, (1) N 54° 08' 43" W, 95.25 feet to a point; thence, (2) N 26° 12' 31" W, 51.09 feet to a point; thence, (3) N 43° 17' 07" W, 115.48 feet to a point; thence, (4) N 39° 21' 08" W, 138.99 feet to a point; thence, (5) N 64° 11' 36" W, 50.30 feet to a point; thence, (6) N 50° 44' 03" W, 50.40 feet to a point; thence, (7) N 75° 58' 20" W, 52.59 feet to a point; thence, (8) N 62° 33' 39" W, 20.87 feet to a point in the aforementioned northeasterly R/W line of Guess Road; thence, along said line of Guess Road the following three (3) courses, (1) N 06° 46' 20" E, 80.52 feet to a point; thence, (2) N 37° 49' 41" W, 111.57 feet to a point in the curved line of said R/W; thence, (3) on a curve to the left, having a radius of 1,481.61 feet, an arc length of 157.14 feet, a delta of 6° 04' 37" and having a chord bearing and distance of N 17° 04' 28" W, 157.07 feet to the point and place of beginning.

SAID ABOVE DESCRIBED tract of land containing within said bounds 128,550 S.F. or 2.951 Acres of land.

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.