

DURHAM



1869
CITY OF MEDICINE

CITY OF DURHAM

Office of the City Clerk

101 CITY HALL PLAZA | DURHAM, NC 27701

919.560.4166 | F 919.560.4835

www.durhamnc.gov

Attachment 5



TO: Steve Medlin, Director
City/County Planning Dept.

THRU: D. Ann Gray, MMC
City Clerk

FROM: Tonette Amos
Senior Executive Assistant

DATE: April 10, 2013

SUBJECT: Holland Street Mall Closing

I am attaching the above mentioned street closing application and maps for your review.

AREAS TO BE CLOSED: a portion of Holland Street Mall

FILED BY: 315 Hotel Group, LLC
c/o Riley Surveying, PA
Attention: Jose Torres
3326 Durham Chapel Hill Boulevard, Suite B100
Durham, NC 27707
919-667-0742
jtorres@rileysurveyingpa.com

DAG:ta

Attachments

**City of Durham, North Carolina
Statement of Account**

Name: 315 Hotel Group LLC Phone Number: 919 672-0479
 Address: 129 Fleming Drive City: Durham State: NC Zip: 27712

Item Description	Quantity	Cost	Trans./R.A.P. Code or Account Number	Amount Due
Holland Street Closing (Recent)	1	1513-	803	1513-
Teck Surcharge	1	32-	802	32-

For Revenue Billing & Collections Use Only



For Department/Division Use Only

Check Total	1545-
Cash Total	
Non-Cash Total	1545-
Total Received	
<u>City Clerk</u> Department/Division	
Date Received	Received By

DISTRIBUTION: WHITE (COLLECTION) CANARY (CUSTOMER) PINK (DEPARTMENT/DIVISION)

City of Durham
Treasury - Cashier
101 City Hall Plaza
Durham, NC 27701
The City of Durham

002209-0033 Zaida J. 04/10/2013 11:12AM

MISCELLANEOUS
STREET CLOSING
1 @ 1,513.00 1,513.00

TECHNOLOGY SURCHARGE
1 @ 32.00 32.00

Subtotal 1,545.00
Total 1,545.00

CREDIT CARD
Visa 7971 1,545.00

Change due 0.00

Paid by: 315 LLC

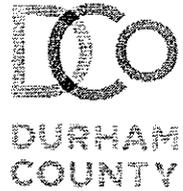
Signature: _____

Thank you for your payment

CUSTOMER COPY
DUPLICATE RECEIPT



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: 4/10/13 10:13 a.m.	Rec'd by: <i>Janette Combs</i>	Amt Paid: 1545.00
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Tracking Information (Completed by Planning Department)

Case #:	Case Planner:
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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.

Street InformationName of street/alley/
road to be closed: HOLLAND STREET MALLJurisdiction: City County Both

Length to be closed (linear feet): 128lf

Plat or deed book reference
dedicating public right-of-way: PB 128 PG 114

Area to be closed (square feet): 4,821sf

Reason for
street closure: RECOMBINATIONExisting 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.

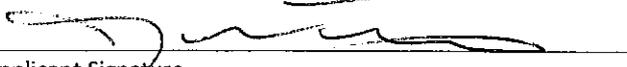
Applicant(s) Information (attach more sheets if necessary)

Name(s): JOSE TORRES RILEY SURVEYING, PA.

Address: 3326 DURHA CHAPEL HILL BLVD ~~110~~ PIN pertaining to street closure: 0821-08-97-2899/1898

City/State/Zip: DURHAM Suite B 100 Phone: 919-667-0742

Email: jtorres@rileysurveyingpa.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.*Applicant Signature 

Date 4/9/13

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 _____

Application Requirements	Applicant Initial	Staff Initial
<p>Street Closing Application (this form): Signatures must be original.</p>		
<p>Fee: Payment by check is preferred, made payable to "City of Durham." A receipt will be provided. <u>Note:</u> An additional fee to record the closing will be required if the request is approved.</p>		
<p>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).</p>		
<p>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</p>		
<p>Street Closing and Recombination Plat: Four (4) full-size copies and one (1) 11 X 17 reduction, prepared by a licensed surveyor.</p>		
<p>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.</p>		
<p>List of contiguous and adjacent properties, indicating property owner, address and PIN.</p>		

Riley Surveying, P.A.
3326 Durham Chapel Hill Blvd., Ste. B-100
Durham, North Carolina 27707

Partial Street Closing and Recombination
Property of
Creh-Mutual and Empire Alliance Properties, LLC

Being all of a certain strip of land situated on the north side of East Chapel Hill Street, Durham Township, Durham County, North Carolina and being more particularly described as:

Beginning at an existing "pk" nail at the intersection of the northern right-of-way of East Chapel Hill Street (variable public r/w) and the eastern right-of-way of Holland Street Mall (40' public r/w), said nail being located N 88°43'25" E 190.47' from the centerline intersection of East Chapel Hill Street and Foster Street, said nail also being the southwest corner of Creh-Mutual, LLC (PIN 0821-08-97-2899); thence, with the eastern right-of-way of said Holland Street and with the western line of said Creh N 07°58'19" E 127.99' to an existing "pk" nail the northwest corner of said Creh and also being on the southern line of a 12' Alley; thence, leaving said eastern right-of-way and across said Holland Street Mall the following three calls: S 83°30'50" W 20.05' to a set "pk" nail, S 07°54'41" W 14.80' to a set "pk" nail and N 82°01'41" W 20.02' to an existing railroad spike on the western right-of-way of said Holland Street, said spike also being the northeast corner of Empire Alliance Properties, LLC (PIN 0821-08-97-1898), said spike also being on the south line of another 12' Alley; thence, leaving said alley with the western right-of-way of said Holland Street and with the eastern line of said Empire S 07°51'04" W 113.70' to a set "pk" nail on the northern side of the aforementioned East Chapel Hill Street, said nail also being the southeast corner of said Empire; thence, leaving said western right-of-way and with the northern right-of-way of said East Chapel Hill Street S 83°31'06" E 39.82' to the point and or place of beginning containing 4,821sf more or less as shown on a Plat entitled Holland Street Mall Street Closing Recombination Survey property of Creh-Mutual, LLC and Empire Alliance Properties, LLC by Riley Surveying, PA dated 4/9/13.

Phone – (919)667-0742 Fax – (919)402-0234
Firm License – C-1281

