



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

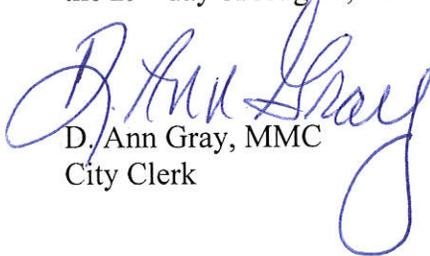


**STATE OF NORTH CAROLINA
CITY OF DURHAM**

I, D. Ann Gray, duly appointed City Clerk of the City of Durham, North Carolina, do hereby certify that the ownership is sufficient for the following Voluntary Annexation Petition based on Signature of Property Owners, Notarization of Signatures and Certificate of Title submitted to the City/County Planning Department and received in the City Clerk's Office on August 28, 2013:

BDG1300014 54 Plaza (Second Submittal)

WITNESS my hand and the corporate seal of the City of Durham, North Carolina, this the 29th day of August, 2013.


D. Ann Gray, MMC
City Clerk



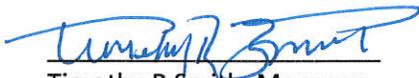
PRESTON DEVELOPMENT COMPANY

100 Weston Estates Way ■ Cary, North Carolina 27513 ■ 919-481-3000 ■ Fax 919-677-8600
www.prestondevelopment.com

August 27, 2013

RE: Durham Imperial Investors LLC

This correspondence is to confirm and certify that Tim Smith and Timothy R. Smith are the same person. Timothy R. Smith is listed as a Manager under Officers on the North Carolina Department of the Secretary of State filing for Durham Imperial Investors LLC. Durham Imperial Investors LLC is managed in the offices of Preston Development Company located at 100 Weston Estates Way Cary NC 27513.


Timothy R Smith, Manager
Durham Imperial Investors LLC

PRESTON DEVELOPMENT COMPANY

100 Weston Estates Way ■ Cary, North Carolina 27513 ■ 919-481-3000 ■ Fax 919-677-8600

www.prestondevelopment.com

July 29, 2013

SUBJECT: Voluntary Annexation Petition

On behalf of Durham Imperial Investors LLC, I am requesting the voluntary annexation for the following properties:

Parcel ID - 158006
PIN - 0747-03-32-8264

and;

Parcel ID - 158004
PIN - 0747-03-32-9022.

This property is located on the west side of NC 54/ S. Miami Blvd. near the Wake County line. It is situated between the road and the railroad tracks that boarder the west side of the subject property.

The property is currently undeveloped. The proposed development of the property is for commercial and office use. (There is no residential use proposed in this development.) The development is proposed to contain 24,000 square feet of commercial space and 9,000 square feet of office space.

The estimated appraised value of this development at completion is \$6,100,000.00.

The existing zoning of the tract is "Commercial Neighborhood" (CN).

A rezoning to "Commercial General" (CG) has been requested.

The property has 469.5 feet of linear frontage along NC 54/S. Miami Blvd. While some improvement along this frontage will be required, no additional linear footage of public streets will be added.

The estimated completion date for the project is August 2014.

The total acreage of the project 4.61 acres.

The subject has not acquired vested rights.

Primary contact: Vanessa Jenkins
vanessa@prestondev.com
919-481-3000

Secondary contact: Philip Culpepper
pculpepper@mindspring.com
919-612-3725


Tim Smith, Manager
DURHAM IMPERIAL INVESTORS LLC

**PETITION FOR VOLUNTARY ANNEXATION TO THE CITY OF DURHAM
OF A CONTIGUOUS AREA BY 100% OF OWNERS OF SAID PROPERTY**

To the Mayor and Members of the City Council of the City of Durham, N.C.:

The undersigned respectfully petition the City Council of the City of Durham to annex the hereinafter described property to the City of Durham, such annexation to be pursuant to the provisions of G.S. 160A-31 and in support of this petition do hereby respectfully represent:

1. The undersigned whose names are signed to this petition own 100% of all real estate lying outside the corporate limits of the City of Durham but contiguous to the City of Durham, hereinafter described, which we would like to have annexed to the City of Durham.
2. The land and property hereby petitioned to be annexed to the City of Durham, and of which we the undersigned are owners of 100%, is described as follows, to-wit:

(ATTACH A METES AND BOUNDS DESCRIPTION FOR THE AREA TO BE ANNEXED)

Respectfully submitted this 30 day of July, 2013.

Type or Print Name of Property Owner(s)	Address and Phone Number:	Property PIN#/ Parcel ID #
① <u>DURHAM IMPERIAL INVESTORS LLC</u>	<u>P.O. Box 3557, Cary, NC 27513</u>	<u>0747-03-32-9022</u> <u>158004</u>
② <u>DURHAM IMPERIAL INVESTORS LLC</u>	<u>P.O. Box 3557, Cary, NC 27513</u>	<u>0747-03-32-8264</u> <u>158006</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Please sign and complete the requested information on the Signature page of this petition

(For Planning Department Use)

Date Received: _____

Received by: _____

ANNEXATION PETITION SIGNATURE PAGE

PARTNERSHIP or LLC:

This is a: general partnership
 limited partnership
 LLC

Durham Imperial Investors LLC
Name of Partnership or LLC (Type or Print)

By: Timothy R. Smith
Signature and Title

Attested By: Robin R. Rose, WITNESS
Witness, Signature and Title

Timothy R. Smith
(Type or Print Name)

ROBIN R. ROSE
(Type or Print Name)

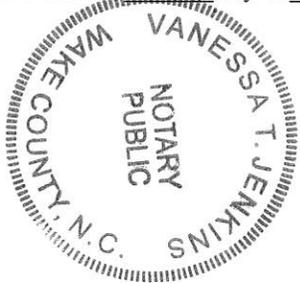
ALL SIGNATURES MUST BE NOTARIZED!!!

NOTARIZATION

NORTH CAROLINA
Wake COUNTY

I, the undersigned Notary Public in and for the aforesaid County and State, certify that Timothy R. Smith and Robin R. Rose personally came before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the 27 day of August, 20 13.



Vanessa T. Jenkins
Notary Public

My commission expires 1-21-2018.

**TITLE AND OWNERSHIP INFORMATION
FOR VOLUNTARY PETITIONED ANNEXATIONS**

Instructions:

The following information should be supplied at the time a voluntary annexation petition is submitted, unless a later date is approved by the Budget Department. The date through which title is examined should be **within one week before the submittal** of the annexation petition. NOTE that the certificate is limited to holders of fee simple interests. Among other things, holders of mortgages or deeds of trust, or trustees for the same; easements; taxes or assessments; or defects not disclosed by public records need not be listed.

CERTIFICATE OF TITLE

The undersigned attorney, who is licensed to practice law in the State of North Carolina, hereby certifies that the record owner(s) of all fee simple interests in the tract of land submitted for annexation to the City of Durham on a petition dated July 29, 2013 and described on such petition as (name of development) 54 Plaza, which tract is described by the metes and bounds description submitted as part of such petition, is Durham Imperial Investors LLC, and that the deed(s) showing such title are recorded at Book * , Page * ; (for multiple properties attach a list with referencing of Book and Page for each parcel) at the Durham County Register of Deeds. In addition, the undersigned attorney certifies that the execution of the aforesaid petition is legally sufficient in form, manner, and substance to bind all owners of the property being annexed.

This the 29th day of July, 2013.

* See Attached List

Kenneth L. Eagle
(Signature of Attorney)

Kenneth L. Eagle
(Type or Print Name of Attorney)

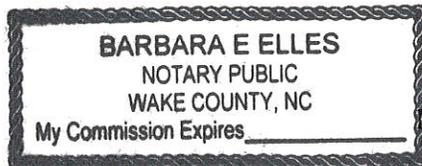
(919) 645-4311
(Attorney Phone Number)

NOTARIZATION

NORTH CAROLINA
WAKE COUNTY

I, the undersigned Notary Public in and for the aforesaid County and State, certify that Kenneth L. Eagle personally came before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the 29th day of July, 2013.



Barbara E. Elles
Notary Public

My commission expires 7-11-2016.

**ATTACHMENT
TO
CERTIFICATE OF TITLE
FOR VOLUNTARY ANNEXATION PETITION
CITY OF DURHAM, NORTH CAROLINA**

Property Owned by Durham Imperial Investors LLC:

Durham County Recording Information	Durham County Tax Parcel
Book - Page	
5067 - 89	158004
5067 - 95	158006

LESS AND EXCEPT those portions of the foregoing property conveyed by Durham Imperial Investors LLC to North Carolina Railroad Company by deed recorded in the Durham County, North Carolina Registry in Book 7151, Page 670 and shown on a plat recorded in the Durham County, North Carolina Registry in Plat Book 191, Page 113.