

Please return to:  
Durham City-County Planning  
Attn: Jacob Wiggins  
101 City Hall Plaza  
Durham, NC 27701

**CITY OF DURHAM  
ORDER PERMANENTLY CLOSING 7,035 SQUARE FEET OF BELMONT DRIVE  
(SC1400008)**

**WHEREAS**, the Durham City Council has delegated the authority to set public hearings to the City Manager as authorized by Durham City Charter; and

**WHEREAS**, the City Manager set a public hearing regarding the closing of the street or alley or portion thereof that is generally described in the caption of this order and that is more fully described in **Attachment A**, attached hereto and incorporated herein for **August 18, 2014**; and

**WHEREAS**, the Resolution provided for the holding of a public hearing on the question of whether said street should be permanently closed; and

**WHEREAS**, notice of the closing of said street was sent by registered or certified mail to all owners as shown on County Tax Records of property adjoining the street to be closed; and

**WHEREAS**, a notice of the closing and public hearing was prominently posted in at least two places along the street to be closed; and

**WHEREAS**, the notice of the closing and public hearing was published once a week for four successive calendar weeks; and

**WHEREAS**, this matter came for hearing before the Durham City Council at its regular meeting on **August 18, 2014** meeting and all persons who desired to be heard were heard at that time.

**NOW, THEREFORE**, the City Council of the City of Durham having carefully considered the question of permanently closing the street or alley or portion thereof as it more fully described in **Attachment A**, finds:

1. That closing of the street or alley described in **Attachment A** is not contrary to the public interest, and
2. No individual owning property in the vicinity of the street would thereby be deprived of reasonable means of ingress or egress to his or her property.

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**IT IS THEREFORE, ORDERED:**

1. That the street described in **Attachment A** is permanently closed under the authority of GS 160A-299(a).
2. That utility easements that may be referenced in **Attachment A** or shown on the plat referenced in Attachment A shall be retained by the City, and that easements owned by private utility companies that are shown on such plat be retained by the private utilities indicated.
3. That a certified copy of this Order and the plat referred to in **Attachment A** shall be filed in the Office of the Register of Deeds of Durham County, North Carolina.
4. That property owners adjacent to the closed street shall take right, title, and interest as is provided in GS 160A-299 (c), as may be further illustrated on the plat referenced in **Attachment A**.
5. That closing is conditioned on the recombination of lots deemed sufficient by the City.
6. That this Order is effective upon and after the date of its adoption as shown by the stamp of the City Clerk below.

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**Attachment A**

**BELMONT DRIVE CLOSING AND DEDICATION METES AND BOUNDS**

**ROAD CLOSING AREA #1**

BEGINNING AT AN EXISTING IRON PIPE ON THE NORTHERN RIGHT OF WAY OF INDEPENDENCE AVENUE, THENCE N28°30'54"W 26.90' TO A POINT WHERE THE NEW RIGHT OF WAY OF BELMONT DRIVE INTERSECTS THE OLD RIGHT OF WAY OF BELMONT DRIVE, THENCE WITH THE OLD RIGHT OF WAY ALONG A CURVE TO THE LEFT WITH A CHORD BEARING AND DISTANCE OF S60°46'36"E 49.90' WITH A RADIUS OF 53.94' TO THE POINT AND PLACE OF BEGINNING, CONTAINING 0.007 ACRES, MORE OR LESS.

**ROAD CLOSING AREA #2**

BEGINNING AT AN EXISTING IRON PIPE NORTHERN LINE OF HABITAT FOR HUMANITY AND BEING ALSO THE SOUTHWEST CORNER OF BERNADETTE MCCOY'S LAND, THENCE ALONG A CURVE TO THE LEFT WITH A CHORD BEARING AND DISTANCE OF S05°21'25"E 99.22', WITH A RADIUS OF 531.48' TO A POINT IN THE NEW RIGHT OF WAY OF BELMONT DRIVE, THENCE ALONG A CURVE TO THE LEFT WITH A CHORD BEARING AND DISTANCE OF S76°11'23"W 30.04', WITH A RADIUS OF 46.00' TO AN IRON PIPE SET IN THE NEW RIGHT OF WAY OF BELMONT DRIVE, THENCE ALONG A CURVE TO THE RIGHT WITH A CHORD BEARING AND DISTANCE OF N05°26'24"W 106.44', WITH A RADIUS OF 561.48' TO AN IRON PIPE SET IN THE NORTHEAST CORNER OF JOHNSON, THENCE N89°59'45"E 30.00' TO THE POINT AND PLACE OF BEGINNING, CONTAINING 0.069 ACRES, MORE OR LESS.

**ROAD CLOSING AREA #3**

BEGINNING AT AN NEW IRON PIPE IN THE NEW RIGHT OF WAY OF BELMONT DRIVE, THENCE, ALONG A CURVE TO THE LEFT WITH A CHORD BEARING AND DISTANCE OF S20°20'28"W 55.10' WITH A RADIUS OF 46.00' TO A NEW IRON PIPE IN THE EASTERN PROPERTY LINE OF JOHNSON, THENCE WITH THE JOHNSON LINE ALONG A CURVE TO THE RIGHT WITH A CHORD BEARING AND DISTANCE OF N07°28'05"W 156.97' WITH A RADIUS OF 591.48' TO A POINT IN THE SOUTHERN LINE OF MCCOY, THENCE N89°59'45"E 30.00' TO THE POINT AND PLACE OF BEGINNING, CONTAINING 0.085 ACRES, MORE OR LESS.

**ROAD DEDICATION AREA #1**

BEGINNING AT A POINT LOCATED N34°55'40"E 80.87' FROM A NEW IRON PIPE, THENCE ALONG A CURVE TO THE RIGHT WITH A CHORD BEARING AND DISTANCE OF S18°30'58"E 84.20' WITH A RADIUS OF 46.00' TO A NEW IRON PIPE, THENCE ALONG A CURVE TO THE LEFT WITH A CHORD BEARING AND DISTANCE OF S43°48'53"W 4.49' WITH A RADIUS OF 15.00' TO A POINT, THENCE ALONG A CURVE TO THE RIGHT WITH A CHORD BEARING AND DISTANCE OF N24°13'01"W 16.89' WITH A RADIUS OF 53.94' TO AN EXISTING IRON PIPE, THENCE N15°12'38"W 28.01' TO AN EXISTING IRON PIPE, THENCE ALONG A CURVE TO RIGHT WITH A CHORD BEARING AND DISTANCE OF N12°57'42"W 41.71' WITH A RADIUS OF 531.48' TO THE POINT AND PLACE OF BEGINNING, CONTAINING 0.046 ACRES, MORE OR LESS.

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**NORTH CAROLINA  
DURHAM COUNTY**

I, \_\_\_\_\_, Notary Public of the aforesaid County and State, certify that personally appeared before me this day \_\_\_\_\_ City Clerk of the City of Durham, who duly certified and acknowledged that the foregoing constitutes a true and accurate copy of the order adopted by the City Council of the City of Durham at its meeting held \_\_\_\_\_, 20\_\_\_\_, as the same is taken from and compared with the recordation of said order in Ordinance Book \_\_\_\_\_, at Pages \_\_\_\_\_, in the Office of the City Clerk.

Witness my hand and notarial seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
**Notary Public**

**My Commission Expires:**

\_\_\_\_\_

The foregoing certificate of \_\_\_\_\_, notary public of \_\_\_\_\_ County, NC, is certified to be in due form and correct. This instrument and this certificate are duly registered at the date and time and in the book and page shown on this instrument.

**WILLIE L. COVINGTON, REGISTER OF DEEDS  
FOR DURHAM COUNTY, NORTH CAROLINA**

By \_\_\_\_\_  
**Deputy Register of Deeds**