



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: 2/10/14 @ 4:21 p.m.	Rec'd by: [Signature]	Amt Paid: 1,545 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: WATERBURY DRIVEJurisdiction: City County BothLength to be closed (linear feet): 160.33'Plat or deed book reference
dedicating public right-of-way: PB 110 PG 52Area to be closed (square feet): 9,715 sfReason for
street closure: Future 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): Robert MurphyAddress: PO Box 99783PIN pertaining to street closure: 0800-02-87-4447

City/State/Zip:

Phone: 919-302-1740Raleigh, NC 27624Email: wrmurphy81@gmail.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

10 FEB 2014
 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

Application Requirements	Applicant Initial	Staff Initial
Street Closing Application (this form): Signatures must be original.	WPM	
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.	WPM	
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 Jacob.Wiggins@durhamnc.gov)	WPM	
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 4 th 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	WPM	
Street Closing and Recombination Plat: Four (4) full-size copies and one (1) 11 X 17 reduction, prepared by a licensed surveyor.	WPM	
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.	WPM	
List of contiguous and adjacent properties, indicating property owner, address and PIN.	WPM	

STATEMENT OF PURPOSE
FOR THE REQUEST.

TO CLOSE A RIGHT OF WAY THAT
WAS NEVER IMPROVED.

List of contiguous and adjacent properties

John & Lucinda Pittman
3821 Watercrest Drive
Durham, NC 27703
PIN: 0800-02-87-4447

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Soren & Alison Windram
3201 Waterbury Drive
Durham, NC 27703
PIN: 0800-02-87-3278

City of Durham
3510 Sandy Creek Drive
Durham, NC 27707
PIN: 0800-01-97-2860

BEGINNING at a point in the southerly right of way Waterbury Drive (60' public right of way as recorded in plat book 110, page 52), thence across the right of way of Waterbury Drive N 05° 06' 40" E for a distance of 80.60 feet to a point in the easterly right of way of Westcrest Street; thence with a curve turning to the left through an angle of 92° 29' 40", having a radius of 20.00 feet, and whose long chord bears S 42° 16' 24" E for a distance of 28.89 feet to a point in the northerly right of way of Waterbury Drive; thence with the northerly right of way of Waterbury Drive S 87° 30' 47" E for a distance of 138.86 feet to a point in the easterly terminus of Waterbury Drive; thence with the terminus of Waterbury Drive S 04° 44' 49" W for a distance of 60.05 feet to a point in the southerly right of way of Waterbury Drive; thence with the easterly right of way of Waterbury Drive N 87° 30' 47" W a distance of 160.53 feet to the point and place of BEGINNING, containing 9,715 square feet as shown on plat prepared by W. Robert Murphy, PLS.