

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

Be it Ordained by the Durham City Council:

Section 1. That the Durham City Council held a Public Hearing on Zoning Case Z1400023 and Voted on April 6, 2015 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 CG(D) and placing the same in and establishing the same as CG(D).

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

Commencing at the NGS Monument "BARB" having grid coordinates N: 785817.490 E: 2024718.380; thence with a tie line S 75-33-09 W for 9,176.82 feet to a point located on the west right of way of Matterhorn Road being the common corner with Southpoint Mall, LLC (DB. 2647-768) and the line of the existing City Limits of Durham being the **Point of Beginning**; thence along the north right of way of Matterhorn Road N 88-57-36 E for 60.00 feet to a point; thence along the east right of way of Matterhorn Road the following: S 01-02-21 E for 199.58 feet to a point; S 01-33-54 E for 60.42 feet; S 00-40-00 E for 71.39 feet; along a curve concave to the northeast having a radius of 170.19 feet, an arc of 69.09 feet, and a chord of S 12-34-54 E for 68.61 feet; along a curve concave to the northeast having a radius of 170.19 feet, an arc of 73.71 feet, and a chord of S 36-21-28 E for 73.13 feet; a along a curve concave to the northeast having a radius of 170.19 feet, an arc of 81.28 feet, and a chord of S 62-58-28 E for 80.51 feet; long a curve concave to the southwest having a radius of 354.07 feet, an arc of 139.92 feet, and a chord of S 65-01-35 E for 139.01 feet; S 53-53-51 E for 197.97 feet; S 53-49-21 E for 61.59 feet; S 53-40-40 E for 103.55 feet; along a curve concave to the southwest having a radius of 198.08 feet, an arc of 115.18 feet, and a chord of S 37-32-44 E for 113.56 feet; S 20-37-12 E for 13.08 feet; S 20-29-35 E for 87.36 feet; thence along said north right of way N 69-19-57 E for 165.15 feet to a point; thence N 79-15-45 E for 158.09 feet to a point; thence N 89-33-48 E for 129.81 feet to a point; thence crossing Chaparral Drive S 00-38-22 E for 59.44 feet to a point; thence N 89-24-48 E for 59.92 feet to a point; thence N 00-38-27 W for 29.76 feet to a point; thence N 00-35-12 W for 29.89 feet to a point; thence N 89-21-31 E for 200.07 feet to an iron pin; thence N 89-20-17 E for 205.45 feet to an iron pin; thence N 89-07-52 E for 45.60 feet to an iron pin; thence N 89-24-26 E for 49.01 feet to an iron pin; thence N 89-14-04 E for 48.90 feet to an iron pin; thence N 89-13-55 E for 99.61 feet to an iron pin located on the western side of Fayetteville road (variable width R/W); thence with said R/W S 02-09-11 W for 60.75 feet to a point; thence S 89-23-57 W for 10.79 feet; thence S 12-41-11 W for 172.04 feet; thence S 19-30-59 W for 100.90 feet; thence S 12-41-11 W for 117.12 feet; thence S 49-21-36 W for 36.03 feet; thence S 03-56-50 E for 60.10 feet; thence S 35-08-42 E for 21.51 feet; thence along a curve concave to

the west, radius of 935.50 feet, arc length of 107.87 feet, chord of S 17-36-51 E for 107.81 feet to a point; thence leaving the existing City Limit Line S 20-55-03W for 338.67 feet; thence S 22-25-51 W for 365.30 feet; thence leaving said western right of way S 89-43-13 W for 172.23 feet; thence N 22-02-05 E for 30.01 feet; thence N 89-58-56 W for 714.46 feet; thence S 89-45-57 W for 269.65 feet; thence along the common line of Durham Investments (DB. 7376-344) S 89-40-44 W for 150.00 feet; S 89-40-44 W for 100.00 feet; S 89-44-56 W for 99.81 feet; S 89-40-28 W for 99.99 feet; S 89-36-48 W for 99.92 feet; S 89-40-06 W for 99.97 feet; S 89-41-16 W for 119.29 feet; thence along the common line of Fern Valley Estates Subd. (PB. 124-143, PB. 62-24, PB. 126-178), Lots 10-14, 1D-4D and 6C, N 00-19-46 W for 199.02 feet; N 00-15-45 W for 60.00 feet; N 00-22-24 W for 157.77 feet; N 00-01-32 W for 129.97 feet; N 01-59-38 E for 120.98 feet; N 01-36-53 E for 119.02 feet; N 01-48-21 E for 120.00 feet; N 01-48-21 E for 121.22 feet; N 01-50-58 E for 259.58 feet; N 88-13-14 W for 264.11 feet; thence along the common line of Knoll Circle Apartments (PB. 148-27) N 01-54-35 E for 99.23 feet; N 00-25-07 E for 253.71 feet; N 00-27-46 E for 230.01 feet; N 00-35-49 E for 59.96 feet; N 00-26-49 E for 224.64 feet; S 82-14-41 E for 96.90 feet; S 82-15-40 E for 96.84 feet; S 81-43-25 E for 14.96 feet; S 89-07-55 E for 84.98 feet; S 89-07-05 E for 99.83 feet; S 88-56-53 E for 100.38 feet; S 89-03-45 E for 202.09 feet to the **Point of Beginning**. Said tract contains 80.703 acres or 3,515,425 square feet more or less.

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.