

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

**CITY OF DURHAM**  
**ORDER PERMANENTLY CLOSING 600 LINEAR FEET OF CHADRON ROAD, 1,661 LINEAR**  
**FEET OF MATTERHORN ROAD, 295 LINEAR FEET OF CONVERSE PLACE, 2,087 LINEAR**  
**FEET OF KENTINGTON DRIVE, AND 1,156 LINEAR FEET OF CHANTICLEER DRIVE**  
**(SC1400012, -13, -14, -15, -16)**

**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 **April 20, 2015**; 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 **April 20 2015** 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 streets or alleys or portion thereof as more fully described in **Attachment A**, finds:

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

**Order Closing****Chadron Street, Matterhorn Road, Converse Place, Kentington Drive, Chanticleer Drive****Page 2****IT IS THEREFORE, ORDERED:**

1. That the streets described in **Attachment A** are 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.

**Order Closing****Chadron Street, Matterhorn Road, Converse Place, Kentington Drive, Chanticleer Drive****Page 3****Attachment A**

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 89-25-33 E for 30.00 feet to a point; thence along the centerline of Matterhorn Road the following: S 01-03-17 E for 331.09 feet to a point; along a curve concave to the northeast having a radius of 200.00 feet, an arc of 263.39 feet, and a chord of S 38-40-14 E for 244.76 feet; along a curve concave to the southwest having a radius of 323.99 feet, an arc of 128.06 feet, and a chord of S 65-01-35 E for 127.23 feet; S 53-53-51 E for 363.57 feet; along a curve concave to the southwest having a radius of 168.00 feet, an arc of 97.57 feet, and a chord of S 37-15-32 E for 96.21 feet; S 20-37-12 E for 130.55 feet; N 69-18-56 E for 29.71 feet; S 20-48-26 E for 59.60 feet; S 20-37-51 E for 73.07 feet; along a curve concave to the west having a radius of 324.59 feet, an arc of 109.09 feet, and a chord of S 11-01-51 E for 108.58 feet; S 01-18-50 E for 116.26 feet; thence along the north right of way of Kentington Drive N 89-22-01 E for 200.21 feet to an iron pin; thence N 89-25-05 E for 99.97 feet to an iron pin; ; thence N 89-19-22 E for 99.96 feet to an iron pin; thence N 89-18-50 E for 200.00 feet to an iron pin; thence N 89-15-22 E for 99.81 feet to an iron pin; thence N 89-26-40 E for 99.97 feet to an iron pin; thence N 89-12-28 E for 129.66 feet to an iron pin located on the western side of Fayetteville road (variable width R/W); 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 89-41-36 W for 149.80 feet; S 89-41-36 W for 100.00 feet; S 89-42-45 W for 100.01 feet; S 89-40-28 W for 99.99 feet; S 89-38-27 W for 199.89 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 68.952 acres or 3,003,565 square feet more or less.

As recorded in the Durham County Register of Deeds Office at Plat Book \_\_\_\_\_, Page \_\_\_\_\_.

**Order Closing  
Chadron Street, Matterhorn Road, Converse Place, Kentington Drive, Chanticleer Drive  
Page 4**

**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**