

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

**CITY OF DURHAM  
ORDER PERMANENTLY CLOSING 422 LINEAR FEET OF BEAMON STREET  
(SC1500004)**

**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 **September 21, 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 **September 21, 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 it 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 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 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.

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**Attachment A**

**BEAMON STREET RIGHT-OF-WAY ABANDONMENT**

COMMENCING AT AN EXISTING IRON PIPE MARKING THE SOUTHWEST CORNER OF GETHSEMANE BAPTIST CHURCH AND THE SOUTHEAST CORNER OF THE CITY OF DURHAM PROPERTY AT 119 EAST PIEDMONT AVENUE AS RECORDED IN DEED BOOK 7212 PAGE 670 IN THE OFFICE OF THE DURHAM COUNTY REGISTER OF DEEDS; SAID POINT BEING ON THE NORTHERN RIGHT-OF-WAY OF EAST PIEDMONT AVENUE AS RECORDED IN PLAT BOOK 107 PAGE 37 AND HAVING N.C. GRID COORDINATES OF N=813,204.641 AND E=2,028,673.918. THENCE ALONG THE NORTHERN RIGHT-OF-WAY OF PIEDMONT AVENUE SOUTH 87 DEGREES 25 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 16.35 FEET. THENCE CONTINUING ALONG THE SAID RIGHT-OF-WAY AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 45.34 FEET, AND A CHORD BEARING OF NORTH 49 DEGREES 17 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 41.15 FEET TO A POINT ON THE WESTERN RIGHT-OF-WAY OF ROXBORO STREET. THENCE ALONG THE SAID WESTERN RIGHT-OF-WAY NORTH 05 DEGREES 59 MINUTES 40 SECONDS EAST FOR A DISTANCE OF 101.39 FEET TO THE POINT AND PLACE OF BEGINNING OF THIS BEAMON STREET RIGHT-OF-WAY ABANDONMENT. THENCE LEAVING THE SAID RIGHT-OF-WAY OF ROXBORO STREET THE FOLLOWING COURSES AND DISTANCES:

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET, AN ARC LENGTH OF 32.67 FEET, AND A CHORD BEARING OF NORTH 40 DEGREES 47 MINUTES 58 SECONDS WEST AND DISTANCE OF 29.16 FEET TO A POINT.  
 THENCE NORTH 87 DEGREES 35 MINUTES 36 SECONDS WEST FOR A DISTANCE OF 138.02 FEET TO A POINT.  
 THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 210.00 FEET, AN ARC LENGTH OF 91.89 FEET, AND A CHORD BEARING OF NORTH 75 DEGREES 03 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 91.16 FEET TO A POINT.  
 THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 210.00 FEET, AN ARC LENGTH OF 30.19 FEET, AND A CHORD BEARING OF NORTH 58 DEGREES 24 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 30.17 FEET TO A POINT.  
 THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 210.00 FEET, AN ARC LENGTH OF 15.53 FEET, AND A CHORD BEARING OF NORTH 52 DEGREES 10 MINUTES 04 SECONDS WEST FOR A DISTANCE OF 15.53 FEET TO A POINT.  
 THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 210.00 FEET, AN ARC LENGTH OF 63.70 FEET, AND A CHORD BEARING OF NORTH 41 DEGREES 21 MINUTES 32 SECONDS WEST FOR A DISTANCE OF 63.46 FEET TO A POINT.  
 THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 210.00 FEET, AN ARC LENGTH OF 65.00 FEET, AND A CHORD BEARING OF NORTH 23 DEGREES 48 MINUTES 06 SECONDS WEST FOR A DISTANCE OF 64.74 FEET TO A POINT.  
 THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 210.00 FEET, AN ARC LENGTH OF 30.00 FEET, AND A CHORD BEARING OF NORTH 10 DEGREES 50 MINUTES 31 SECONDS WEST FOR A DISTANCE OF 29.97 FEET TO A POINT.  
 THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 7.01 FEET, AND A CHORD BEARING OF NORTH 02 DEGREES 43 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 7.01 FEET TO A POINT.  
 THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 15.51 FEET, AND A CHORD BEARING OF NORTH 10 DEGREES 10 MINUTES 32 SECONDS EAST FOR A DISTANCE OF 15.45 FEET TO A POINT.  
 THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 5.74 FEET AND A CHORD BEARING OF NORTH 22 DEGREES 21 MINUTES 10 SECONDS EAST FOR A DISTANCE OF 5.74 FEET TO A POINT.

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 35.39 FEET, AND A CHORD BEARING OF NORTH 45 DEGREES 55 MINUTES 15 SECONDS EAST FOR A DISTANCE OF 34.66 FEET TO A POINT.  
 THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 52.35 FEET, AND A CHORD BEARING OF SOUTH 83 DEGREES 48 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 49.99 FEET TO A POINT.  
 THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 41.16 FEET, AND A CHORD BEARING OF SOUTH 30 DEGREES 13 MINUTES 44 SECONDS EAST FOR A DISTANCE OF 40.01 FEET TO A POINT.  
 THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 53.04 FEET, AND A CHORD BEARING OF SOUTH 23 DEGREES 44 MINUTES 36 SECONDS WEST FOR A DISTANCE OF 50.59 FEET TO A POINT.  
 THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET, AN ARC LENGTH OF 30.29 FEET, AND A CHORD BEARING OF SOUTH 10 DEGREES 44 MINUTES 43 SECONDS WEST FOR A DISTANCE OF 27.48 FEET TO A POINT.  
 THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 160.00 FEET, AN ARC LENGTH OF 83.45 FEET, AND A CHORD BEARING OF SOUTH 47 DEGREES 34 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 82.50 FEET TO A POINT.  
 THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 160.00 FEET, AN ARC LENGTH OF 70.09 FEET, AND A CHORD BEARING OF SOUTH 75 DEGREES 04 MINUTES 24 SECONDS EAST FOR A DISTANCE OF 69.53 FEET TO A POINT.  
 THENCE SOUTH 87 DEGREES 35 MINUTES 36 SECONDS EAST FOR A DISTANCE OF 50.26 FEET TO A POINT.  
 THENCE SOUTH 87 DEGREES 35 MINUTES 36 SECONDS EAST FOR A DISTANCE OF 93.12 FEET TO A POINT.  
 THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 20.01 FEET, AN ARC LENGTH OF 30.21 FEET, AND A CHORD BEARING OF NORTH 49 DEGREES 09 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 27.42 FEET TO A POINT ON THE WESTERN RIGHT-OF-WAY OF ROXBORO STREET.  
 THENCE CONTINUING ALONG THE SAID RIGHT-OF-WAY SOUTH 05 DEGREES 52 MINUTES 09 SECONDS WEST FOR A DISTANCE OF 43.86 FEET.  
 THENCE CONTINUING ALONG THE SAID RIGHT-OF-WAY SOUTH 05 DEGREES 52 MINUTES 09 SECONDS WEST FOR A DISTANCE OF 46.34 FEET TO THE POINT AND PLACE OF BEGINNING OF THIS BEAMON STREET RIGHT-OF-WAY ABANDONMENT.

THIS RIGHT-OF-WAY ABANDONMENT CONTAINS 27,108 SQUARE FEET IN AREA. REFERENCE IS HEREBY MADE TO A RECOMBINATION, EASEMENT & RIGHT-OF-WAY ABANDONMENT PLAT PREPARED BY COOPER AND ASSOCIATES SURVEYORS, P.A. DATED JANUARY 27, 2015.



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

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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**