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City of Durham
City-County Planning Dept.
101 City Hall Plaza
Durham, NC 27701

ORDINANCE # _____

**AN ORDINANCE ANNEXING TO THE CITY OF DURHAM AN AREA HEREINAFTER DESCRIBED AND WHICH DOES NOT ABUT DIRECTLY ON THE PRESENT CORPORATE BOUNDARY OF THE CITY OF DURHAM, UNDER THE PROVISIONS OF NCGS 160A-58 ET.SEQ.
(Leesville-Andrews Residential)**

WHEREAS, a petition was filed by the owner for annexation of certain property described in Section 1 to the City of Durham; and

WHEREAS, said petition was referred to the City Clerk to investigate its sufficiency, and the City Clerk has certified that said petition is sufficient; and

WHEREAS, the City Manager fixed **7:00 p.m. on November 2, 2015**, at the City Council Chambers of City Hall as the time and place for a public hearing on the question of annexation of said property and ordered that notice of such public hearing be published as provided by NCGS 160A-58.2; and

WHEREAS, said notice of public hearing was duly published in the Durham Herald-Sun one time at least ten (10) days prior to the date of the public hearing; and

WHEREAS, at this public hearing, all residents of the City of Durham were given an opportunity to be heard on any questions concerning the desirability of the annexation.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF DURHAM MAKES THE FOLLOWING FINDING AND DETERMINATIONS:

1. The area proposed for annexation and the accompanying petition meet the requirements of NCGS 160A-58.1(b) in that;

- a. The nearest point on the proposed satellite corporate limits is not more than three miles from the primary corporate limits of the City of Durham; and
 - b. No point on the proposed satellite corporate limits is closer to the primary corporate limits of another City than the primary corporate limits of the City of Durham; and
 - c. The area is so situated that the City of Durham will be able to provide the same services within the proposed satellite corporate limits that it provides within its corporate limits; and
 - d. If the area proposed for annexation, or any portion thereof, is a subdivision as defined in NCGS 160A-376, then all of the subdivision is included; and
 - e. The petition contains the names, addresses, and signatures of all owners within the area proposed for annexation; and
 - f. The petition describes the area for annexation by metes and bounds description and by the annexation plat; and
2. The petition is otherwise valid; and
 3. The public health, safety, and welfare of the inhabitants of the City and of the area proposed for annexation will best be served by annexation of the area proposed.

IT IS THEREFORE ORDAINED BY THE CITY COUNCIL OF THE CITY OF DURHAM:

Section 1. That certain area bounded and described below is hereby annexed to and made a part of the City of Durham and that minor technical changes to the metes and bounds description and/or to the annexation map may be made administratively to conform to the ownership of the property that has been submitted for annexation.

Beginning at an existing iron pipe in the southerly right of way of Leesville Road, said point having North Carolina NAD 83 State Plane Coordinates N= 795748.04' and E= 2065696.42', thence with the line of Lance (Deed Book 5563, Page 694; PID 194403) S 32° 49' 11" W for a distance of 304.20 feet to an existing iron pipe; thence with the line of Lance S 01° 05' 55" W for a distance of 356.56 feet to an existing iron pipe; thence continuing with the line of Lance N 86° 25' 22" E for a distance of 398.75 feet to an existing iron pipe; thence continuing with the line of Lance N 01° 07' 03" E for a distance of 400.04 feet to an existing iron pipe in the southerly right of way of Leesville Road; thence with the southerly right of way of Leesville Road S 49° 14' 55" E for a distance of 36.78 feet to a point; thence with the line of Brinson (Deed Book 1603, Page 846; PID 194258) S 00° 55' 53" W for a distance of 479.70 feet to an existing iron rod; thence with the line of Brinson (Deed Book 1603, Page 846; PID 194258), Cash (Deed Book 1960, Page 697; PID 194400), and Avila (Deed Book 7132, Page 161; PID 194399 & 194398) S 75° 34' 12" E for a distance of 684.43 feet to an existing iron pipe; thence with the line of Avila (Deed Book 7132, Page 161; PID 194398) S 70° 02' 42" E for a distance of 56.06 feet to an existing iron pipe; thence with the line of Ayscue (Deed Book 271, Page 364; PID 194397) S 49° 03' 20" E for a distance of 78.80 feet to a point; thence continuing with Ayscue N 38° 56' 40" E for a distance of 72.00 feet to a point in the southerly right of way of Leesville Road; thence with the southerly right of way of Leesville Road S 51° 04' 41" E for a distance of 181.23 feet to a point; thence with the westerly right of way of Andrews Chapel Road S 16° 37' 14" W for a distance of 148.81 feet to an existing iron pipe; thence with the line of Andrews Chapel United Methodist Church (Deed Book 356, Page 522; PID 194373) S 36° 51' 48" W for a distance of 286.54 feet to an existing iron pipe; thence continuing with the line of Andrews Chapel United Methodist Church S 50° 48' 26" E for a distance of 119.41 feet to a point in the westerly right of way of Andrews Chapel Road; thence with the westerly right of way of Andrews Chapel Road S 16° 04' 06" W for a distance of 52.94 feet to an existing iron pipe; thence continuing with the right of way of Andrews Chapel Road S 17° 34' 43" W for a distance of 29.92 feet to an existing iron pipe; thence continuing with the right of way of Andrews Chapel Road along a curve turning to the right through 08° 37' 08", having a radius of 834.71 feet, and whose long chord bears S 21° 10' 56" W for a distance of 125.45 feet to an existing iron pipe; thence with the right of way of Andrews Chapel Road along a

curve turning to the right through an angle of $08^{\circ} 33' 20''$, having a radius of 834.71 feet, and whose long chord bears $S 29^{\circ} 46' 11'' W$ for a distance of 124.53 feet to a point; thence with the line of Izaguirre (Deed Book 5721, Page 255; PID 194395) $N 89^{\circ} 38' 53'' W$ for a distance of 361.74 feet to an existing iron pipe; thence continuing with Izaguirre $S 44^{\circ} 20' 14'' W$ for a distance of 155.15 feet to an existing iron pipe; thence with the line of Montessori School of Raleigh (Deed Book 6513, Page 7; PID 194390) $N 89^{\circ} 01' 00'' W$ for a distance of 103.98 feet to an existing iron pipe; thence continuing with Montessori School of Raleigh $N 89^{\circ} 08' 53'' W$ for a distance of 199.98 feet to an existing iron pipe; thence with the line of Montessori School of Raleigh $N 02^{\circ} 33' 54'' W$ for a distance of 880.40 feet to an existing axle; thence continuing with the Montessori School of Raleigh $N 88^{\circ} 37' 52'' W$ for a distance of 804.51 feet to a nail found; thence continuing with the Montessori School of Raleigh $N 89^{\circ} 16' 36'' W$ for a distance of 114.74 feet to an existing iron rod; thence with the line of Del Webb Carolina Arbors (Plat Book 193, Page 117; PID: 216290) $N 88^{\circ} 45' 04'' W$ for a distance of 194.34 feet to a point; thence continuing with the line of Del Webb Carolina Arbors $N 11^{\circ} 26' 57'' E$ for a distance of 301.96 feet to an existing iron rod; thence continuing with the line of Del Webb Carolina Arbors $N 02^{\circ} 27' 35'' E$ for a distance of 998.05 feet to an existing iron rod in the southerly right of way of Leesville Road; thence with the southerly right of way of Leesville Road $S 70^{\circ} 45' 31'' E$ for a distance of 383.27 feet to a point; thence continuing with the southerly right of way of Leesville Road $S 71^{\circ} 43' 41'' E$ for a distance of 265.37 feet to a point; thence continuing with the southerly right of way of Leesville Road along a curve turning to the right through $12^{\circ} 40' 58''$, having a radius of 1292.03 feet, and whose long chord bears $S 60^{\circ} 08' 16'' E$ for a distance of 285.41 feet to an existing iron pipe, said point being the point and place of BEGINNING, containing 44.871 acres, more or less, according to survey prepared by W. Robert Murphy, PLS L-4677, to which reference is made for a more perfect and complete description.

- Section 2. From and after the effective date of this annexation ordinance the area so annexed shall be subject to all debts, laws, ordinances, and regulations of the City of Durham and shall be entitled to the same privileges and benefits as other parts of the City.
- Section 3. This ordinance shall be in full force and effect from and after **December 31, 2015**.