ATTACHMENT 9

Return to:
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 IS CONTIGUOUS TO THE CORPORATE BOUNDARY OF THE CITY OF DURHAM, UNDER THE PROVISIONS OF NCGS 160A-31 ET.SEQ.
(BDG1500017 – Herndon Road)

WHEREAS, a petition was filed by the owner for annexation of certain property described therein to the City of Durham **Section 1;** 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 June 20, 2016,** 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-31(c); 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 DETERMINATIONS

1. 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 in 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 Herndon Road (SR 1105), said point having NC NAD 83 State Plane Coordinates N=783663.59' and E=2,020,863.71', thence across the right of way of Herndon Road N 00° 17' 13" E for a distance of 69.94 feet to a point in the northerly right of way of Herndon Road, thence with the northerly right of way of Herndon Road the following 5 calls (1) S 58° 59' 37" E for a distance of 72.57 feet to a point; (2) S 59° 09' 19" E for a distance of 103.57 feet to a point; (3) S 60° 46' 04" E for a distance of 120.64 feet to a point; (4) thence along a curve turning to the left through an angle of 04° 36' 29", having a radius of 2043.38 feet, and whose long chord bears S 64° 45' 45" E for a distance of 164.30 feet to a point; (5) S 67° 03' 59" E a distance of 189.59 feet to a point; thence S 67° 03' 59" E a distance of 17.71 feet to a point; thence S 33° 51' 16" W a distance of 87.75 feet to a point; thence with the old right of way line of Herndon Road S 12° 43' 23" E a distance of 15.21 feet to a point; thence N 75° 40' 20" W a distance of 145.92 feet to a point; thence with the line of Alphus Herndon (Deed Book 334, Page 7; PID: 149635) N 89° 53' 50" W for a distance of 329.38 feet to an existing iron pipe; thence with the line of Herndon Farm LLC (Deed Book 3112, Page 156; PID: 149621) N 86° 58' 20" W for a distance of 81.37 feet to an existing iron pipe; thence with the line of Randy Bennet (Lot 3 – Plat Book 142, Page 203; PID: 149866) N 00° 12' 37" E for a distance of 65.12 feet to an existing iron pipe; thence with line of Eric Nelson (Lot 2 – Plat Book 142, Page 203; PID: 149867) N 00° 16' 26" E for a distance of 118.46 feet to an existing iron pipe; thence with the line of Lisa Cooper (Lot 1 – Plat Book 142, Page 203) N 00° 17' 13" E a distance of 93.43 feet to an existing iron pipe, said point being the point and place of BEGINNING, containing 2.633 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.

For further description see map entitled "Contiguous Annexation Plat for Householder Holdings LLC" prepared by W. Robert Murphy, PLS L-4677, said map dated September 2015 and recorded in the Office of the Register of Deeds of Durham County in Plat Book _____, Page _____."

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 **June 30, 2016.**