

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 1394

Short Title: Durham City Boundaries.

(Local)

Sponsors: Senators Royall; and Hunt of Durham.

Referred to: Local Government and Regional Affairs.

May 25, 1990

A BILL TO BE ENTITLED

**AN ACT TO AMEND THE LEGAL DESCRIPTION OF THE LAND BEING
WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF DURHAM AND
TO AMEND THE METES AND BOUNDS DESCRIPTION OF A PORTION OF
THE REAL PROPERTY LOCATED WITHIN THE COUNTY OF DURHAM SET
FORTH IN SECTION 2, CHAPTER 435, SESSION LAWS OF 1985.**

The General Assembly of North Carolina enacts:

Section 1. The real property described in Section 6 of this act, having been annexed by the City of Durham, North Carolina, pursuant to the provisions of North Carolina General Statutes Chapter 160A, Article 4A, by ordinances adopted on the 6th day of April, 1987, and the 5th day of September, 1989, is hereby removed from within the corporate limits of the City of Durham, North Carolina.

Sec. 2. Upon the effective date of this act, a copy of this act duly certified, shall be recorded in the office of the Register of Deeds of Durham County, North Carolina, and a copy of this act duly certified shall be delivered to the City Clerk of the City of Durham, North Carolina.

Sec. 3. From and after the effective date of this act, the County of Durham, North Carolina, shall have the full jurisdiction over the property or territory described in Section 6, of this act, exclusive of the power, authority and jurisdiction of the City of Durham, North Carolina. The power, authority, and jurisdiction of the County of Durham shall specifically include, but shall not be limited to, the power, authority and jurisdiction to determine and establish the zoning district or districts and zoning classification or classifications of the property or territory described in Section 6 of this

1 act, in conformity with the laws of the State of North Carolina and the ordinances of the
2 County of Durham.

3 Sec. 4. From and after the effective date of this act, no portion of the
4 property or territory described in Section 6 shall be included within the extraterritorial
5 jurisdiction of the City of Durham, and the City of Durham shall have no power or
6 authority to exercise any extraterritorial powers upon or within the property or territory
7 described in Section 6 of this act.

8 Sec. 5. Section 2 of Chapter 435 of the Session Laws of 1985 is amended as
9 follows:

10 (1) by deleting

11 "thence leaving the southern right of line of So-Hi Drive S 3° 35' 21"E 2059.30 feet;
12 thence as shown on the plat recorded in Durham County Plat Book 52, pages 71 and 72
13 S 89° 03' E 300.08 feet; thence as shown on the plat recorded in Durham County Plat
14 Book 105, page 145, N 6° 14' 05"E 2444.70 feet;"and substituting:

15 "thence continuing along the southern right-of-way boundary of So-Hi Drive N 40°
16 53' 00"E 482.65 feet as shown on the plat recorded in Durham County Plat Book 113,
17 Page 65;"and

18 (2) by deleting

19 "thence S 6° 41' 51"W 2617.22 feet; thence as shown on a plat recorded in Durham
20 County Plat Book 86, page 65, S 84° 18' 00"E 508.57 feet; thence N 5° 45' E 407.00
21 feet; thence S 84° 24' 46"E 609.28 feet; thence as shown on a plat recorded in Durham
22 County Plat Book 93, page 65, S 82° 26' 43"E 660.00 feet; thence N 6° 58' 30"E 626.58
23 feet; thence S 84° 37' 48"E 165.0 feet; thence N 6° 14' 00"E 960.0 feet; thence S 82° 52'
24 23"E 819.16 feet; thence with the southern right of way line of Ellis Road southeasterly
25 along an arc having a radius of 6436.64 feet a distance of 705.12 feet; thence as shown
26 on plat recorded in Durham County Plat Book 105, page 28, and with the southern right
27 of way line of Ellis Road, S 79° 07' 30"E 211.10 feet;"and substituting

28 "thence N 05° 01' 51"E approximately 830 feet to an iron pipe located at the
29 northwest corner of property shown on Durham County Plat Book 111, page 45;
30 running thence S 84° 02' 36"E 1295.45 feet; running thence N 01° 21' 11"E 10.59 feet;
31 thence N 64° 32' 49"E 38.88 feet; thence S 36° 00' 12"E 66.44 feet; thence S 67° 58'
32 33"E 256.49 feet; thence S 51° 59' 55"E 147.77 feet to the western boundary of the
33 right-of-way of Ellis Road; thence along the western right-of-way boundary of Ellis
34 Road in a southeasterly direction as it makes a counterclockwise curve as the western
35 right-of-way of Ellis Road becomes the southern right-of-way of Ellis Road to the
36 western right of way boundary of the Durham Freeway;"

37 Sec. 6. The property or territory is located in Durham County, North
38 Carolina, and is more particularly described as follows:

39 BEGINNING at a stake set in the western right-of-way boundary of Ellis Road, said
40 stake being located at the intersection of the western right-of-way boundary of Ellis
41 Road with the southern right-of-way boundary of So-Hi Drive; running thence along
42 and with the western right-of-way boundary of Ellis Road the following courses and
43 distances: in a generally southerly direction by the arc of a curve having a radius of
44 20,671.88 feet, a distance of 191.46 feet; south 21° 29' 38"east 439.52 feet; in a

1 counterclockwise direction by the arc of a curve having a radius of 621.63 feet, a
2 distance of 354.90 feet to a stake; thence leaving the right-of-way boundary of Ellis
3 Road south 47° 40' 53" west 147.55 feet to a stake; thence south 62° 23' 30" west 440.98
4 feet to a stake; thence south 6° 01' 35" west 251.23 feet to a stake; thence north 82° 57'
5 19" west 971.72 feet to a stake; thence north 82° 56' 40" west 210.28 feet to a stake;
6 thence north 10° 7' 31" east 470.92 feet to a stake; thence south 82° 55' 31" east 209.63
7 feet to a stake; thence north 10° 06' 06" east approximately 896.89 feet to a point 200
8 feet south of and perpendicular to the southern right-of-way boundary line of So-Hi
9 Drive; thence in a northwesterly direction along a line 200 feet south of and parallel to
10 the southern right-of-way boundary line of So-Hi Drive, a distance of approximately
11 1,176 feet to a point on the western line of property shown on plat and survey recorded
12 in Durham County Plat Book 111, Page 45; running thence along said western line
13 north 05° 01' 51" east approximately 200 feet to the southern boundary of the right-of-
14 way of So-Hi Drive; running thence north 05° 01' 51" east 138.15 feet to the stake at the
15 northwest corner of the property shown on Durham County Plat Book 111, Page 45;
16 running thence south 84° 02' 36" east 1,295.45 feet to a stake; thence north 01° 21'
17 11" east 10.59 feet to a stake; thence north 64° 32' 49" east 38.88 feet to a stake; thence
18 south 36° 00' 12" east 66.44 feet to a stake; thence south 67° 58' 33" east 256.49 feet to a
19 stake; thence south 51° 59' 55" east 147.77 feet to a stake set in the western right-of-way
20 boundary of Ellis Road; thence along and with the western right-of-way boundary of
21 Ellis Road the following courses and distances: south 22° 27' 11" east 248.51 feet; in a
22 southerly direction by the arc of a curve having a radius of 20,671.88 feet, a distance of
23 76.01 feet to a stake on the northern boundary of So-Hi Drive; thence running along the
24 western boundary of Ellis Road and crossing So-Hi Drive to a stake at the southern
25 boundary of the right-of-way of So-Hi Drive, the point and place of BEGINNING.

26 Sec. 7. This act is effective upon ratification.